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ABSTRACT

Substantive articles in this newsletter issue concern: (1) issues related to reproductive technology; (2) marriage and family questions for the 1986 census; (3) fault and violence in the family court; (4) children and young people in institutional care; (5) marriage counseling initiatives; (6) employment and families; and (7) family life in European countries. Brief articles also report the use of the Institute of Family Studies' online database as a public access file and describe this organization's publication program. Supplementary materials provide the texts of official addresses and summarize papers given at the Twentieth International Seminar on Social Change and Family Policies. Seminar sessions focused on pressures, conflicts, and expectations of family life; major demographic trends affecting family policy; families with children and social policy approaches to family support and education; worldwide trends in the administration of family policy; youth policies and the family/work/education relationship; work, economic policies, and welfare consequences and responsibilities; intergenerational exchange, aging trends and public/private support dimensions; and legal regulation of the family and the effect of changes in family law. (RH)

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NEWSLETTER

PLUS SUPPLEMENT

XXth International CFR Seminar on Social Change and Family Policies

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Director's Report

There was little reaction to my last Director's Report on what I called 'Double standards in Australian family policy', so I may repeat myself somewhat here. Since then the Institute has successfully concluded the XXth International CFR Seminar on 'Social Change and Family Policies', which brought together some two hundred experts from Australia and overseas to discuss this important issue. A special supplement to this *Newsletter* outlines the major themes and outcomes of the conference.

By the time this *Newsletter* has appeared, our Federal election will be over and Australia will have entered a new phase of social policy development. Whichever political party wins, Australians are promised changes to the taxation-welfare income transfer system, and I can think of nothing more centrally related to family life than this area of social policy.

The Institute will also have made its first submission to the government's advisory body, the Economic Planning Advisory Council (EPAC). While we cannot publish this until it has been considered by EPAC, I can indicate some of the questions our submission raises. It is not the Institute's role necessarily to answer those questions or to suggest specific policy proposals. That is the role of government itself. What we have tried to do is outline the major lines of change and the pressures being placed on family life, and to suggest new ways of thinking about the income transfer system which focus on the effects on the family.

The Australian Institute of Family Studies believes that it can contribute usefully to the government's review of taxation and welfare structures in at least two ways:

- first, by outlining the current nature of Australia's families and the changes taking place in Australian family patterns which affect, directly or indirectly, the economy;
- second, by indicating how policies which link benefits and services for families in a 'benefit-service package' relate to both fundamental value directions and to the problems of raising taxation revenue in order to fund that 'package'.

One of the primary objectives in planning Australia's economic and social future must be to provide for the maximisation of the economic well-being of all Australian families. That this is not the situation at the present time is evidenced by the large number of families in poverty and the continuing high levels of unemployment.

The Institute of Family Studies regards the inability of many Australian families to gain access to adequate income and the existence of barriers to employment for many members of families as the most crucial problems facing families currently and in the future. In addition, families require access to adequate social services, especially health, education, housing, child care and transport. Accordingly, government policies must aim to generate sufficient revenue to provide such services adequately and equitably. Our submission to EPAC describes and discusses the trends that are now evident in the way families are forming and dissolving, those factors which determine families' access to income, and it makes some proposals regarding reform of the income transfer system.

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Supplement: XXth International CFR Seminar on Social Change and Family Policies

This edition is compiled and edited by Meredith Michie

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766 Elizabeth Street, Melbourne 3000 Australia
Telephone: (03) 342 9100
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Some fundamental value questions must be asked repeatedly in any review of the income transfer system. Such questions all relate to the position of families relative to the market economy in that family consumption and production comprise a major force alongside such 'non-family' factors as overseas trade, supply and demand, wage rates, arbitration, and other major calls on government expenditure such as defence.

What also is to be considered in policy making is the central tension between 'private' and 'public' life, between the family's demands on an individual and those demands which come from one's role in the paid labour force (Kahn and Kamerman, 1982). To oversimplify, every society requires its adult citizens to fulfil productive roles in both the labour market and in the home. In employment they produce goods and services which fuel the economy; at home they produce goods and services which sustain current citizens and nurture future citizens. There can be no doubt that both are essential and both are intertwined.

Historically, these dual productive roles have been handled jointly by all family members, then progressively separated functionally and spatially from one another. However, the sexual division of labour should not be allowed to obscure the continuing link between work and family roles. In modern societies, without work which produces income or equivalent goods, family life cannot survive; nor, quite likely, without the nurturant support of families could the economy or the society itself survive.

We argue that family structures and the way they change are central to economic stability and vice versa. We also argue that planning for income transfer reform is essentially an exercise in family policy. There are six central questions which must be asked.

1 How will this (suggested change) support families in their dual productive roles at home and in the paid labour force?
2 Will it harm family stability?
3 Will it benefit or discriminate against
   - particular types of families?
   - particular individuals within families?
4 Will it preserve or damage the rights of families to freedom of choice (under the law) to pursue their own values and way of life?
5 Will it move society towards a more equitable and just position for every family and its individual members?

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6 Will it encourage independence, autonomy and initiative in an 'empowering' way, or will it increase dependence, lack of control and limit the freedom of choice available to people in Australian society?

To state these questions as value propositions, the Institute of Family Studies is suggesting that:

1 Both men and women should be assisted in their attempts (jointly and individually) to be economically productive and to nurture children in a positively constructive environment.
2 Family stability is to be preferred over instability, particularly when children are dependent, and no factor should be left unchecked which potentially undermines that stability.
3 Family type is a personal matter; it varies widely (to be married or not, to have children or not, to support kin or not) and it changes through stages of the life cycle. As freedom of choice among competing value systems is to be encouraged in a democratic society, neither marital status nor family type should lead to discrimination within the income transfer system. However, family type should not be allowed to obscure the rights of individuals within families. In particular, the income transfer system must be careful not to discriminate against the rights of women and must enhance the rights of children so that they may be able to lead a decent life.
4 Freedom of choice is preferable to coercion, so policies must aim at making choices universally available to families and their members. If those options are not socially available (e.g., to paid employment, to child care, to further education and retraining), then people should not be penalised for the options they are forced to accept.
5 Equity in society is a desirable goal, both for family units and for individual family members. Equity, however, is not equality, a goal virtually impossible to achieve. Thus our preference would be for income transfer programs which provide for equity via a basic guaranteed minimum level of income and service provision for all families, rather than for programs which restrict incentives (at home or in the the labour market) and increase dependency.
6 Independence, autonomy and initiative of family units and their members is to be encouraged rather than dependency and being 'serviced to death'. People prefer to control their own lives rather than to be controlled by others, so 'empowerment' and enhancement of efficacy should be the overriding goals of the economic system.

Personally, I agree basically with Kamerman and Kahn (1981) that in the 1980s policies must confront the 'major internal and external pressures on two of the most central institutions in society: the family and the workplace'. As they put it, 'the most central question to be asked is — can adults manage productive roles in the labour force at the same time as they fulfil productive roles in the family at home?'

The answers of our policy makers to that question will affect every family in Australia. Once both adults are in the paid labour force, complete separation of work and home is impossible, if children are to be born and reared satisfactorily.

Will we follow Hungary's example and introduce a 'benefit-service package' which supports an at-home role for women with young children? If so, that could require (as in Hungary) a maternity lump sum cash benefit to assist with initial costs; maternity leave for five months on 100 per cent of average earnings over the last two years; a child care allowance (Hungary's 'invention') equal to 40 per cent of the average unskilled worker's wage for 31 months or up to the child's third birthday; plus paid sick leave for the husband to care for children, a family allowance, housing priorities and paid personal holidays for families with young children.

Or might we follow Sweden's example and design programs which are family-focused and parent-oriented (as opposed to only mother-oriented)? That is, policies which facilitate the management of *both* roles — home and family work, plus market work — by *both* men and women, 'at the time in their lives when tension between the two is greatest'? If so, we could see a parent insurance benefit (cash payment of 90 per cent of wages, plus the right to take 180 plus days off, financed largely by the employer); a parent allowance of 60 days a year to care for sick children; a tax free cash child allowance for all children under 16; an income-tested housing allowance; plus guaranteed entitlement to part-time work for one parent and to unpaid leave with full job protection until the child is 18.

The two countries are exemplars of systematically thought-through 'family policies' and stand in stark contrast to Australia. The 'services' side of the 'package' in Hungary provides more support for at-home care in the

first three years, followed by universal pre-school provision. In contrast, Sweden favours out-of-home care in centres, where the stress is on the quality of child development.

In this context, I am not advocating either model. Rather I am calling for a systematic review which tries to integrate benefits and services so that choices are enhanced and support for family life is extended. In our Geelong study of family support networks (*Social support in an Australian community*, 1983) we found many who were unaware of their rights or of what services were even available. In the replication of this study in a Sydney inner-city suburb, just completed, Diana Shaw and Lois Bryson (1984), give a salutary reminder that *information* is a key to use of family support services.

> The results indicate that there exists a proliferation of government and community services, the majority of which are seldom used by respondents, either because they know little about them, or because they do not know they are eligible, or because the services do not adequately accommodate their needs . . . our research shows that public awareness is still appallingly low (after many reports) with the consequent continuing social cost to both the individual and the community. (p.127)

One wonders how often it needs to be said and, given the apparent work overload on such services, what would happen if more people did know they existed and availed themselves of their help?

Lest this report sounds overly despondent, let me hasten to add that there are signs of greater public awareness that positive and preventative family support is better than band-aids after the damage is done. This Institute continues to provide the data on which to build and we shall continue to call for better programs of family support, whichever way the politicians choose to go.

We wish our readers the Season's Greetings and look forward to further contacts with you in the New Year.

Don Edgar
Director
November 1984

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Reproductive Technology — The Issues

by Tricia Harper
IFS Research Fellow

The following is an edited version of the Interim Report of the Asche Committee to the Family Law Council and the Federal Attorney-General.

What is reproductive technology?

Reproductive technology refers to the body of medical and scientific knowledge and research which when applied enables the creation of a child who could not have been conceived/born without the intervention and application of that technology.

Neither reproductive technology nor 'technological' conceptions can exist without the allocation of substantial resources by the community. These resources are paid for by the community through the funding of hospital facilities and equipment, hospital staff salaries and expertise, through the funding of research, and through medical benefit payments.

By mid-1984 in Australia, infertile couples were being enabled to parent children by the use of one or other of the following medical/technological procedures:

- artificial insemination by donor (AID)
- artificial insemination by husband (AIH)
- in vitro fertilisation (IVF) using the gametes of both wife and husband
- in vitro fertilisation (IVF) with donor semen
- in vitro fertilisation (IVF) with donor ova
- in vitro fertilisation (IVF) with donor embryo
- embryo transfer (ET)
- in vivo fertilisation (embryo flushing)
- conception and birth of children using frozen embryos
- surrogate mother 'contracts'

Research, which is closely following developments in the area of animal husbandry where further reproductive technology is already being applied, is currently being undertaken in the following areas:

- twinning — splitting the embryo into two, implanting one embryo and freezing the other 'identical' twin embryo for implantation later
- cloning — the asexual reproduction of an individual from a donor body cell which results in the birth of a child identical with the donor
- artificial womb — attaching the embryo to another part of the body (such as the stomach) which theoretically could lead to men and trans-sexuals undergoing 'pregnancy'
- ectogenesis — which involves the growth of a foetus outside the human body, in the laboratory, without the need of a womb at any time
- genetic engineering — the alteration of the chromosome structure of cells from which breeding takes place in an attempt to control the characteristics of the offspring
- sex pre-determination — which is already occurring on a widespread basis in some countries

The present situation

In 1984 the complexities and dilemmas implicit in the new reproductive technology which enables otherwise infertile couples to parent children have become increasingly evident; they underline the major questions of public policy which must be addressed.

In the past two years, committees have been appointed in most States to enquire into issues relating to AID, IVF, ET and surrogacy. To date, reports have been forwarded to governments by the following bodies.

- August 1983 — Waller Committee in Victoria (on the use of donor gametes) (Chairman: Professor L. Waller, Victorian Law Reform Commissioner).
- January 1984 — Working Party in South Australia (Members: Dr Aileen Connon, South Australian Health Commission and Ms Philippa Kelly, Attorney-General's Department).
- April 1984 — Demack Committee in Queensland (Chairman: Justice A. G. Demack, Supreme Court of Queensland).
- July 1984 — Interim Report of the Asche Committee to the Family Law Council and the Federal Attorney-General (Chairman: Justice A. Asche, Family Court of Australia).
- August 1984 — Waller Committee in Victoria (on the experimentation and freezing of embryos and on surrogacy) (Chairman: Professor L. Waller, Victorian Law Reform Commissioner).

Further reports are expected soon from the Law Reform Commission of New South Wales (Russell Scott, Deputy Chairman of the Law Reform Commission of New South Wales), the Meadows Committee in Western Australia (Chairman: R. Meadows), and the Asche Committee to the Family Law Council.

Legislation has been introduced in State parliaments in two States:

- New South Wales — *Artificial Conception Act* 1984 and *Children (Equality of Status) Amendment Act* 1984 (which took effect from 1 August 1984)
- Victoria — *Status of Children (Amendment) Act* 1984 (which took effect from 1 August 1984)
- Victoria — *Infertility (Medical Procedures) Bill* 1984 (Passed in November 1984 but not yet proclaimed)

Relevant Ministers in other States have indicated that they propose to introduce legislation based on their own committees' reports following public comment.

Already, significant differences are evident in the ways in which State committees and governments are approaching these issues — and these differences have serious implications for both policy and legislative directions. Indeed, one major legal problem has arisen because of the different approaches taken by the New South Wales and Victorian legislation to the question of the legal status of children born of some programs using donor gametes.

By mid-1984, despite the announced intention of the States and Territories to ensure uniformity in the way the law deals with such families, the random introduction of reports and legislation resulted in a complex and confusing situation. The community is provided with different answers to a range of important questions, including the following:

- Who is the mother of a child born from donor gametes — the woman who gives birth (Victoria) or the woman who provides the ovum (New South Wales)?
- What provisions should be made concerning the keeping of records containing identifying information and access to such records and information?
- Is it an offence to enter the name of those other than the biological parents in the Register of Births? It is no longer an offence in New South Wales and Victoria, once their legislation is proclaimed; it is still an offence in other States and Territories.

When we add to these difficulties the pace at which reproductive technology is being developed and introduced, a most unsatisfactory situation clearly exists which gives rise to serious concern.

The following is an outline of some of the issues identified for discussion by the Asche Committee in its Interim Report to the Family Law Council.

What is the purpose of reproductive technology?

The following are some of the goals and objectives of programs researching and applying reproductive technology which have been put forward:

- To provide a service to infertile couples (or individuals) by enabling them to parent a child who is not the genetic child of one or both of them.
- To provide a eugenics-based service to couples (or individuals) who are seeking to have children with predetermined intellectual, physical or gender characteristics, or to avoid having children with hereditary or genetic defects. Such a service could include genetic manipulation, sex preselection, selection on the basis of intelligence, physical prowess, etc.
- To create artificial wombs thus 'freeing' women from the rigours and demands of childbirth. This technique could also be used to enable men to 'give birth'.

Clearly it is essential that the community's examination and identification of such objectives of reproductive technology take place with the following issues in mind:

- the implications of reproductive technology for those involved: child, family, community;
- the questions of public policy which are raised;
- the values of our society — moral, philosophical, religious and social;
- the need to balance the needs of the child against those of adults;
- the need to balance private against public interests;
- the cost of funding/providing such services;
- the question of who needs this technology and who has access to it.

Who should make the decisions regarding reproductive technology, the research, and its application?

It is already clear that current developments regarding reproductive technology are both multi-faceted and multi-disciplinary, involving issues relating to: the welfare of children and families; family formation and functioning; legal status; medical and hospital procedures; the keeping and integrity of public records, such as birth records, and access to those records; the provision of government funding and resources; major social and ethical issues.

Too often, however, the debate is seen only as one about medical 'treatment' and hospital resources — of doctors providing a service requested by patients, a 'cure' for infertility. Yet to see the issues only in this context is to fail to understand the major questions of public policy which are raised by the developments in reproductive technology and the inherent conflict between the public and private domains which exist.

To date, much of the debate has centred around the needs of couples and has failed to address questions relating to the interests of the child or of the broader community. It has also failed to take account of the fact that governments have a primary responsibility to educate and inform public opinion and not just follow public opinion polls. Community debate has also failed to take account of the substantial commitment of public resources which is involved in research into, and the application of, reproductive technology.

It is essential therefore that decisions regarding the role, appropriateness and future development of reproductive technology, and the monitoring and control of the programs and services being provided, reflect the many facets and the multi-disciplinary nature of the issues involved. Control and regulation should not be left to doctors and medical/health personnel or to those who may have a vested interest in certain outcomes. Instead, control and regulation should be vested in a body or bodies which reflect a range of expertise and experience — welfare, medical, legal, social science — and in relevant government departments: at State level, departments such as Community Welfare, Health, Law and Premier's; at Federal level, departments such as Attorney-General's, Social Security, Health, Prime Minister's and the Social Welfare Policy Secretariat.

Major questions of public policy

Outlined below are 9 issues which must be recognised and resolved.

1 The welfare and interests of children conceived through reproductive technology

In Australia, family law and child welfare legislation is based on the fundamental principle of the paramountcy of the welfare and interests of the child. Such provisions have been incorporated into legislation (and practice) in recognition of the conflict that can arise between the interests of children and parents/adults, and to provide a means of protecting the special needs, interests and rights of children.

The principle of 'the need to protect the rights of children and to promote their welfare', as set out in S.43(c) of the *Family Law Act*, emphasises the importance of the community's responsibility for the care and protection of young children.

Given that the major purpose of reproductive technology is to create a child who would not otherwise have been conceived, it seems clear that the community has a particular responsibility to promote and protect the interests, needs and welfare of that child. (Indeed, the question may well be asked — is it in the interests of a child to be created in this way to satisfy the needs of adults?)

What protections, then, will be built into legislation and practice? What standards and safeguards will be developed to promote the welfare, needs and interests of children born of reproductive technology? Legislators in Australia and overseas have grappled with these questions in other contexts and have set down factors to be taken into account when determining what is in the best interests of the child — *Family Law Act 1975*, S.64(1) (bb); Queensland Draft *Family and Community Development Bill 1984*, S.220; Ontario *Child Welfare Act 1978*, S.1. In its legislation governing children born of reproductive technology, the community must establish a benchmark with respect to the needs, welfare and interests of children.

2 The status of children — what is the role of the law?

The need for legislation which resolves the status of an individual born as a result of donor gametes needs no justification. The question 'Who is father? Who is mother?' must be answered in order to establish clearly the persons or 'parents' in whom parental legal rights and responsibilities must be vested for the care and upbringing of the child.

In the past, adoption legislation had to address such questions in order to establish in law who had parental rights and responsibilities for the adopted child — the social or the biological parents. The uniform Adoption Acts of the 1960s stated (or 'pretended') that the child was the child of the social parents and that the relationship with the biological parents no longer existed.

> . . . the adopted child becomes a child of the . . . adopters . . . as if the child had been born to [them] . . . the adopted child ceases to be a child of [the natural] parent . . . (Adoption of Children Act, 1964, Victoria, S.32)

Thus social and biological relationships were distorted, and the definition of relationships *in law* was contrary to the relationships which existed *in fact*. This approach to establishing parent-child relationships in adoption law has been rejected in recent years as harmful and prejudicial to the integrity of the law and to the parties involved. Changes have occurred in recognition of the importance of facilitating good parent-child relationships and of enabling the development of the child's sense of self-identity — both of which are assisted when the law honestly and accurately recognises and defines, rather than distorts, existing and developing parent-child relationships, biological or social. Thus, recently, adoption legislation has been changed to remove past distortions (UK *Adoption Act* 1976; *Adoption Bill* 1984, Victoria S.53).

Unfortunately, in the area of reproductive technology, the newly introduced legislation of the States (*Artificial Conception Act* 1984 of New South Wales; *Status of Children (Amendment) Act* 1984 of Victoria) perpetuates the legal 'fiction' approach by presuming that the husband has 'caused the pregnancy' and is the 'father of [the] child', such a presumption being irrebuttable.

The alternative approach to establishing filial and parental status is that taken by the law in the United States dealing with the status of children born of reproductive technology. It has used the approach which provides for one set of parental rights and obligations to be extinguished *in law* and for a new set to be vested *by law* in the social parents. Thus the *Uniform Parentage Act* in the United States provides that:

> . . . the husband is treated in law as if he were the natural father of a child thereby conceived (Section 5: Artificial Insemination)

Similar terminology abolishes any donor rights and obligations.

In establishing the status of parents and donor gametes children therefore, the terminology of the law is clearly important. Questions which need to be discussed include:

- Should the law change the facts of an individual's family history? How can the facts of an individual's life be known if the law clarifying the individual's status *changes* those facts?
- If birth records are a record of the history of our society (and the links between individuals within that society), what effect does legislation which changes the facts of this history have? Should such an approach be used?
- What do these changes mean for the concept of 'family'? How do these changes further complicate our understanding of family?

3 Establishing parentage

Already, major constitutional dilemmas are arising which will need to be resolved. The Victorian *Status of Children (Amendment) Act* 1984 provides that the woman who gives birth to a child conceived using donor ova is the mother. Yet the New South Wales *Children (Equality of Status) Act* 1976 provides that maternity is established using blood/genetic tests — that is, the mother is the woman who donates the ovum.

Further, until now society has stated that if parentage is in doubt or in conflict, the matter can be resolved by the use of blood/genetic tests. Such procedures will continue to be essential to the resolution of questions of parentage for many children. Yet how can the continued use of blood tests for this purpose be reconciled with the provisions of the new legislation which states that blood/genetic tests links do *not* establish parentage for some children — in fact the reverse. Birth records will not be able to tell us to which children such tests should not apply. Will the provisions of the new legislation eventually invalidate blood tests for the purpose of establishing parentage in general?

4 The keeping of, and access to, information and records

There are important questions as to the keeping of records and of access to information. Until now, much of the information about individuals involved in reproductive technology programs using donor gametes (including that of the children conceived and born) has been destroyed by doctors and hospitals. Programs have generally encouraged secrecy, and many couples state that they do not intend to tell their child of his or her origins.

Here again, there are lessons which can be learned from developments in the area of adoption and in particular from the needs of individuals who have been placed at birth in the care of couples who are not the biological parents. The practice, experience and research of the past 20 years in adoption emphasise the following as essential to the healthy social and psychological development of children in their families:

- honesty and openness in family relationships;
- elimination of secrecy and distortion of information/relationships;
- elimination of the concept of children as 'possessions';
- access to medical and/or identifying information and records where required, or appropriate, in terms of the child's/adult's needs and rights.

The Victorian Government has recognised the importance of these factors for the healthy development of children and families by including such provisions in the *Adoption Bill* 1984. This legislation follows the provisions of England's *Children Act* 1975 and *Adoption Act* 1976 and enables adopted adults to seek and gain access to identifying information regarding their family origins, including a copy of their Birth Certificate.

The importance of the above factors was also stressed by the Victorian Attorney-General in his Second Reading Speech on the *Infertility (Medical Procedures) Bill* 1984 to the Victorian Parliament. He stressed that 'the values of honesty and integrity are crucial to the creation of a happy

family' and that 'in time, it is likely that [donor gametes] children . . . will express a similar interest in their background [to adopted children]'.

Yet such principles are not being followed through:

- It is no longer an offence for the *social* parents to register as the parents of the child in the Register of Births in Victoria and New South Wales. Thus there will be a failure to maintain honesty and integrity in such records. It is still, however, an offence in other States for anyone other than the *biological* parent to register.
- The Report of the Working Party in South Australia recommends that there should be no flow of information relating to either the donor of gametes or the child born following the use of such donated gametes.

It is clear that regulations and structures need to be established without delay to maintain all records regardless of whether or not access is permitted to these records. In so doing, questions which need to be addressed include:

- To whom does this information belong? The child (who will become an adult)? Social parent/s? Donor parent/s? Doctors? Hospitals? Community?
- Who should control this information? The Registrar of Births (who holds origin information belonging to all other individuals)? Doctors? Hospitals? Health authorities?
- Is there any reason why records concerning donor-conceived births should be treated differently from other individuals' records?
- If records and information are relevant to the welfare and identity needs of the individual, as well as to his or her health needs, should not welfare as well as health departments be involved in its management and release?
- Should not developments concerning donor gametes individuals be compatible with developments concerning access to information by individuals who are adopted? Should we discriminate between individuals reared by a parent or parents to whom they are not related simply on the basis that one is adopted while the other was conceived by reproductive technology (some procedures of which are referred to as 'intra-uterine' adoption)?

5 The integrity of birth records

The nature of the problem was alluded to in a paper prepared within the Attorney-General's Department in 1981 by Neil Wareham, who wrote:

> While it is obvious that many AID children must have been born in Australia, the New South Wales registration authorities have indicated that no birth registration form presented to them has ever disclosed that the child resulted from AID. The deliberate furnishing of false information in a birth information form is, of course, a criminal offence.

Historically, birth records have had a number of functions, serving as:

- a statement of the family history of members of the society;
- a record for each individual of his or her blood or genealogical connections, of his or her progenitors;
- a record of the new family status and relationships of an individual when status and relationships have been changed by legislation.

In some cases, a system of dual registers has been maintained, with access to certain information being limited, or denied, unless certain conditions are met. Thus with the birth of a child to natural parents, the details of both parents are recorded by the Register of Births and are accessible as public records. Where a child is adopted, the details of the natural parent/s on the Register are closed off and details of the adoptive parent/s are entered on another register. The latter records are accessible. It is likely that information about natural parents will soon be available to adopted adults in Victoria and probably New South Wales, thus providing the adopted person with information as to his or her genealogical origins. Is there any reason why a similar system should not be established for individuals born following the use of donor gametes?

The community needs to address the following questions.

- Until now, it has been an offence to register any person other than the biological parent on the register of births. Should we now legislate to alter this, and to permit inaccurate birth records? If so, should some means of identifying such records be provided — or should these records be undetectable?
- Will not permitting inaccurate birth records throw doubt on the integrity and validity of every individual's birth record? Does this concern society, as well as the individuals involved?

- Should there be some way in which individuals (and historians) can check whether they were donor-conceived if they wish to? In adoption, all adopted individuals can so check because there is a slight difference between an original birth certificate and an adopted person's birth certificate.
- Changes to legislation in Victoria and New South Wales make it possible for original/biological parents and relationships to 'disappear' totally. Is this what we want? How will it affect the individuals concerned? What implications does this have for individuals who may seek information regarding their medical history or their family origins/history?
- In addressing these questions, has the community looked at the implications for the adults these donor conceived children will become?

These questions must be resolved quickly before the integrity of all birth records is destroyed. While to date the community has condoned the falsification of some birth records by some individuals, it has still regarded this action as a punishable offence. It is quite a different step to legislate to *permit* the falsification of birth records — unless the community redefines what constitutes a birth record and accepts the implication of this for all birth records and the purpose they serve (and have historically served) for society.

6 Counselling

The profound and complex nature of infertility and the choices of family creation using donors and technology do not need restating. Recognition of this is attested by recommendations for the compulsory provision of counselling as part of programs providing reproductive technology by the reports of the Waller and Demack Committees and the South Australian Working Party. But what is the purpose and nature of such counselling?

The purpose of counselling. Is counselling required because it is a means by which complicated reproductive technology conceptions and births can be made acceptable and permissible? For example, 'It's all right to use donor embryos provided the couple has counselling.'

Is counselling to be provided for the purpose of giving information and raising awareness, of indicating the options which are available and enabling couples to think through the issues, and for the support and counselling of the couple?

Or is counselling to be provided as part of the process of selecting couples for these programs? Should the willingness and capacity of couples to be involved in an educative, thinking-through process be part of their commitment and a prerequisite for their selection?

The nature of counselling. If counselling is included as an integral component of hospital/infertility programs, it is presumably because these programs are recognised as involving more than simply medical procedures, that they involve the creation of families through technologically-assisted conceptions. Thus the skills and expertise required in such counselling must recognise the social/psychological nature of the process and of the decisions to be taken.

Should counselling be mandatory? It needs to be determined how important the voluntary participation in counselling is to its usefulness. How important is the willing involvement of the couple?

Couples using such programs clearly have responsibilities to make choices about important decisions in their lives which are more than just 'medical' treatments — decisions about creating children, about family formation, about resolving infertility. The purpose and nature of the counselling provided is therefore of great importance and responsibility for the provision, management and quality of counselling will require the involvement of those government departments with relevant expertise and experience in the area of the welfare of children and families — that is, welfare rather than health departments.

7 Regulation of programs

Should *all* programs involving the use of donor gametes/reproductive technology be regulated? This is an important question, for the greatest number of children being born of these programs are those children born following AID. There are no accurate statistics on the number of AID children, but from the figures provided by individual hospitals, we can calculate that up to 1000 children are being born in Australia each year following AID. Yet the States vary in their approach to this matter — Victoria concentrates on the regulation of IVF programs and not AID programs; the Queensland and South Australian reports examine the need for standards and safeguards in AID programs as well as IVF.

8 Boundaries and limits to research

Public attention has recently focused on the development and directions of reproductive technology research, and the questions and dilemmas it poses for the community. The issues raised are not just those of medicine or medical ethics — but issues with fundamental social implications which raise major questions of public policy. Yet to date, it has been left to bodies such as the Monash Bio-Ethics Centre and the medical ethics committees of the National Health and Medical Research Council (NHMRC) and individual hospitals to advise on questions relating to the directions and boundaries of research into reproductive technology, and its application.

The appropriateness, and indeed the effectiveness, of leaving such important decisions with medical ethics committees, no matter how competent, is now doubted. Increasingly, individuals with experience and expertise in these matters are calling for the establishment of a national body with power to monitor and control research into reproductive technology.

9 Frozen embryos

Following the recent death of Mr and Mrs Rios in a plane crash which 'orphaned' the couple's two frozen embryos, public attention has been focused on the hazards and dilemmas inherent in embryo freezing programs. Questions such as the ownership and future of frozen embryos have been highlighted — and strongly divergent views have arisen within the community.

The need for a national approach

There is a very good case that the responsibility for legislation such as that which governs the lives of families and family members should rest with the Federal Government. This is in line with the powers granted to the Commonwealth over the subjects of marriage and divorce. Over the past decade most State governments have recognised the need to extend Federal jurisdiction to include families which are not based on marriage.

It has also been accepted in recent years at meetings of Federal, State and Territory Ministers (Law, Health and Welfare) that a national or uniform approach should be taken to legislation concerning families based on reproductive technology — at least in so far as questions of filial and parental status are concerned.

Yet as this Interim Report has indicated, uniformity is not being achieved regarding a number of fundamental issues. If the community sees it as essential that children and families based on reproductive technology are not treated differently depending on the State or Territory in which they live, then serious consideration will need to be given to the means by which a national or uniform approach is to be achieved and maintained. There are several ways to achieve uniformity:

a *A reference of power*

The reference of power which is being proposed regarding the 'custody, guardianship and maintenance' of exnuptial children could be extended to include matters relating to 'filial and parental status'. This was in fact recommended by the New South Wales Attorney-General at the 1976 Constitutional Convention in Hobart, where the Convention finally recommended that powers with respect to 'illegitimacy' should be referred by the States to the Federal Government.

Such a reference would enable the status of children and families resulting from reproductive technology to be determined by one government (the Federal Government) rather than eight State and Territory Governments. Thus the status of the members of such families would be the same throughout Australia.

b *The enactment of uniform State and Territory legislation based on a Model Bill*

This has been successfully achieved in the area of company law and, to a considerable degree, with adoption legislation, (although a uniform approach to adoption is fast disappearing).

It would appear to have been the intention of the Standing Committee of Attorneys-General to proceed in this way. But the difficulties which have arisen to date indicate that uniformity is still some way from being achieved with respect to status — and even further away in the handling of other questions.

c *The establishment of a national body*

A national body would advise Federal, State and Territory governments on major questions arising out of the research and practice of reproductive technology.

The proposal to establish a national body is strongly supported by the Asche Committee, and a more detailed proposal is set out in its recommendations.

Recommendations

To enable governments and the community to address the major questions of public policy which arise out of the complexities and dilemmas implicit in the new reproductive technology which creates a family by enabling otherwise infertile couples to parent a child, the Asche Committee on Reproductive Technology makes the following recommendations for consideration by the Family Law Council.

1 A national multi-disciplinary body should be established to deal with matters relating to reproductive technology including: artificial insemination by donor (AID), artificial insamination by husband (AIH), in vitro fertilisation (IVF) with or without donor gametes, embryo transfer (ET), surrogate motherhood, in vivo fertilisation, embryo freezing, and other new technologies.

2 This national body should:
- **a** advise both Federal, State and Territory Governments;
- **b** monitor and make recommendations concerning present and future medical research and the practice of reproductive technology;
- **c** examine the implications of reproductive technology with respect to the children who may be/are born, to families, to the donors and their families, and to society, and examine the questions of public policy which arise from the proposed or actual application of reproductive technology;
- **d** regularly provide information to the community regarding these technologies and seek public response;
- **e** develop clear guidelines and standards concerning such matters as the legal status of children and their parents, medical ethics and hospital/medical practice, records, access to information, counselling, etc.;
- **f** recommend and support research on the ongoing effects of the new reproductive technologies, including
  - its effect on children and families (both men and women)
  - its effect on donors of gametes and their families
  - alternative ways of overcoming infertility with a responsibility to ensure the publication of the results of such research (present and future) in a language which can be understood by the community;
- **g** present an annual report.

3 The national body should be multi-disciplinary in its composition, with members selected on the basis of experience and expertise and with an obligation to liaise with those involved in their interest area.

In order to reflect the complex questions of public policy which need to be addressed (of which medical ethics and/or research are only one small component), members of the national body should include persons with experience and/or expertise in the following areas:
- social science
- research into the implications of reproductive technology for families and society
- law, especially family law
- medicine
- child and family welfare
- moral theology
- philosophy
- professional counselling of families and infertile people
- women's issues

4 The national body should be established by the Attorney-General *or* the Prime Minister with an obligation to liaise with, and report to the Standing Committee of Attorneys-General, the Council of Health Ministers, and the Council of Welfare Ministers

Marriage and Family Questions for the 1986 Census

by Peter McDonald
IFS Deputy Director, Planning and Research

In the April 1984 issue of the *Newsletter*, I referred to IFS recommendations to the Australian Bureau of Statistics following publication of the Bureau's preliminary views on questions to be included in the 1986 Census. Two of the three Institute recommendations have been accepted — that is, the inclusion of questions on the number of times a person has married and on the year the person married for the first time. Our suggestion that the question on number of children be extended to men has, however, been rejected essentially on the grounds that the question was too sensitive.

We still await a more detailed discussion of the difficulties of asking men about the number of their children. Certainly the reference to sensitivity seems odd given that this question was asked of men at the 1911, 1921, 1947, 1954, 1961 and 1966 Censuses of Australia without any reported objection from men.

In including men of all ages, the 1911 question covered children born in the 19th century. Are men of the 1980s that much more embarrassed about their children than men of the 1880s?

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These may be obtained free of charge from the Family Information Centre, Institute of Family Studies, 766 Elizabeth Street, Melbourne 3000, Victoria.

Women and Housing — National Conference

One of the most crucial issues to families in Australia is housing. Yet too often the way housing is planned, managed and financed is inappropriate to the needs of the consumers. This is particularly the case with women who are one of the most disadvantaged groups in the housing market. Women have rarely been involved in decisions affecting the provision of housing in Australia although they are the section of the population who spend most time at home.

Women need to gain more control over housing issues and that is why the Women's Housing Action Group (South Australia) is organising this conference:

'On the Threshold — Housing Women'
First National Women's Housing Conference
1-3 March 1985
University of Adelaide

The aim of the conference is to provide a forum for an exchange of ideas between a wide range of women with varied experience in housing. Participants will include private and public housing tenants, housing policy makers, academics, housing activists and workers at youth and women's shelters.

The program has been devised to encompass a very wide range of issues. These include housing for particular groups of women, specific problems women face in relation to different tenure types and possible options for the future of women's housing, including innovative planning, policies and legal reforms. It will provide the first ever chance for women from all over Australia to meet together and discuss all these issues and make an active contribution to the development of housing policies.

For further details of the conference contact: Margie Hill on (08) 227 4822 (interstate and country — reverse charges) or write to Women's Housing Action Group, GPO Box 1072, Adelaide 5001.

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FAMILY Database Launched

by Deborah Whithear
IFS Librarian

FAMILY, the Institute's online database, was launched as a public access file in September 1984. FAMILY'S release to the public on the computer network AUSINET came after a full year of trial as a pilot database. In the pilot stage, the database was titled AFAM (short for Australian Families). Now the database is officially titled FAMILY, a straightforward title which expresses clearly its subject matter.

Right from the early days in 1980 when the Institute itself began work and set up the Family Information Centre (FIC), it was planned that a bibliographic database of Australian literature on family studies would be developed. This work was first started by Mari Davis, Head of the FIC, as a pilot project to investigate the feasibility of setting up a document-based file. These investigations involved ascertaining the annual output of Australian publishing in the family studies area since 1976 and the most appropriate format for making this literature accessible to the Australian research community. Early in 1983, a trial database, AFAM, was created using the facilities of the Institute's Computer Centre. A part-time indexer, Ursula Newell, was employed to help in the development of the AFAM file by testing out a variety of formats for document entry, methods of abstracting and key-word indexing of entries. The criteria for the final choice on the format for document entry were based on such factors as cost, staffing and the ability of the FIC to maintain the delivery of indexed items and quality control of entry to the system. During this period a record structure was trialled, procedures for entering data experimented with, and work on a thesaurus begun.

Head of the Family Information Centre, Mari Davis (left) and IFS Librarian and Editor of FAMILY, Deborah Whithear, check the final proofs of *FAMILY Database User Guide and Thesaurus* just prior to its publication.

The essential next step was to index hundreds of publications held in the FIC. This was made possible by the appointment in February 1984 of Belinda Stonehouse and Felicity Bretnall through the Commonwealth Community Employment Program. Their contribution has been essential to bring the database to an appropriate size for public release.

In September, FAMILY Database contained a thousand indexed documents for searching online and each month the online file will be updated with 150-200 new documents. From now on, in addition to the online database file, FAMILY will be produced in a printed version with three quarterly updates in April, July and October and a cumulated volume each December. The first print volume (Volume 1 December 1984) will be available in January 1985.

FAMILY Database now contains over 1500 indexed documents comprising books, research reports, government documents, conferences, papers in edited collections, working papers, journal articles, statistical publications, theses, and some unpublished papers of merit.

A subject analysis of the contents of the database, using the subject code assigned to each document for the hard copy arrangement, reveals the present strengths of the database are in the areas of Family types, relations and dynamics (21.3 per cent); Organisations and services to

FAMILY Database indexers, Felicity Bretnall (left) and Belinda Stonehouse, photographed at the terminal used for entering data.

families (19 per cent); Families with special problems (13.3 per cent); Family law (10.5 per cent); Issues related to fertility and sexuality (7.8 per cent); Counselling and therapy (6.8 per cent); Minority groups (6 per cent); Trends and change in marriage and the family (5.4 per cent).

The proportion of material within these subject areas may alter as more documents are included in the database. But at the present time, this breakdown indicates considerable research and publishing activity in Australia on family types, family relations and dynamics.

In the first month that FAMILY Database was available online for searching on AUSINET, many libraries and institutions used the database and wrote to the Family Information Centre for the brochure and for further information. In addition, many orders were received for the publication titled *FAMILY Database User Guide and Thesaurus* (99 pages, price $10.00).

In 1985 the FIC hopes to develop a pilot file of 'Research in Progress'. How quickly this pilot file can be brought online for public access is dependent on staffing and financial resources.

However, the FIC is already in possession of much information about a variety of research projects in family studies being conducted in Australia. This information will be maintained as an accessible manual file until such time as it can also be entered into the FAMILY Database system. If readers would like to contribute information about research projects of relevance to FAMILY Database, the Institute and FIC would be pleased to be notified about them. *Please write to the Editor, FAMILY Database, Institute of Family Studies, 766 Elizabeth Street, Melbourne 3000 Victoria.*

FAMILY Database Prices

Publications

- FAMILY Database User Guide and Thesaurus: $10.00 a copy
- Hard copy (printed version)
  Volume 1, 1984: $45.00
  Volume 2, 1985 (three quarterly issues plus annual volume) —

April update:	$10.00
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Recent publications indexed for FAMILY

AUSTRALIA. SOCIAL WELFARE POLICY SECRETARIAT. *The impact of population changes on social expenditure: projections from 1980-81 to 2021*, Social Welfare Policy Secretariat, Canberra, ACT, 1984.

FAMILY Institute of Family Studies

AUSTRALIAN FAMILY STUDIES DATABASE

FAMILY database is a computer based bibliographic reference system developed by the Institute's Family Information Centre. It contains references from 1980 onwards to Australian publications and to material written by Australians in overseas publications. Books, journal articles, conference papers, government reports, research reports, statistical publications, theses and unpublished papers are included.

Subject Coverage
Trends and change in marriage and the family
Family and society
Family law
Organisations and services to families
Economics and the family
Family types, relations and dynamics
Mate selection and marriage
Separation and divorce
Issues related to sexuality and fertility
Children in families
Minority groups and special families
Counselling and education for marriage and parenthood
Research and methodology

Access to FAMILY
Online Search and retrieval is available through AUSINET, the computer network of ACI Computer Services. Access to AUSINET can be arranged through your library.

In Print The first hard copy volume of entries in FAMILY database will be available from January 1985. Thereafter a quarterly update will be printed.

Further Information
An information brochure and order form for the *FAMILY Database User Guide and Thesaurus* is available free of charge from:

IFS The Editor — FAMILY
Institute of Family Studies
766 Elizabeth Street
Melbourne 3000 Victoria
Telephone (03) 342 9100

Reports on a study which aimed to establish the level of dependency of various age groups on government outlays and to express total per capita government outlays on the aged as a ratio of total per capita government outlays on the young. An analysis of government expenditure data for 1980-81 and 1981-82 was undertaken for those programs where expenditures were most likely to be directed on an age-specific basis or to vary significantly from one age group to another. Per capita outlays for each age group in 1980-81 were then applied to projections of the population at ten-year intervals to the year 2021 in order to assess the impact of changes in the structure of the population on future government social expenditures. To the extent that they reflect future trends in expenditure patterns, the projections have significant implications for revenue raising requirements and for Commonwealth/State financial arrangements.

GORMAN, A. and SARKISSIAN, W. *Public housing for single people: problems, resources and options*, Social Impacts Publications in association with the Housing Commission of New South Wales, Armidale, NSW, 1984.

Many single low-income persons have pressing and desperate housing needs. The impact of the housing market and planning and urban development issues which affect access to housing for single low-income persons is addressed in this report. A background to housing needs in New South Wales is provided, and major groups in need of housing identified: youth, women and other low-income single adults such as homeless men, homeless people with chronic psychiatric problems, aged single people, physically disabled people, ex-prisoners and Aboriginal people.

HOWE, A. L. and CARTER, M. 'Day care, senior citizens' centres and local government', *Day services for the elderly: Part 2, Patterns of service development, organisation and use*, Occasional Paper in Gerontology No. 7, National Research Institute for Gerontology and Geriatric Medicine, Melbourne, Victoria, 1984.

Study aims to obtain a clearer understanding of the role of local government in the provision of day services for the elderly and to examine some of the options that might enable future development to come about in ways most appropriate to the varying needs and conditions of different local areas. Report covers: local government involvement in day care; patterns of expansion to 1983; strategies towards Senior Citizens' Centres; relationships between the Victorian Health Commission and local government; implications for future development.

KEMMIS, S., COLE, P. and SUGGETT, D. *Orientations to curriculum and transition: towards the socially-critical school*, Victorian Institute of Secondary Education, Melbourne, Victoria, 1983.

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The question of what schools should do to prepare young people for adult life is vital. Many young people have begun to question the usefulness of their schooling experiences in equipping them to lead meaningful fulfilled lives in a complex society. This paper aims to clear some of the conceptual ground for the debate about how the curricula of schools might be transformed to confront the issue of transition. Three possible curriculum orientations are outlined, the educational significance of the socially-critical school is asserted, and strategies are presented for transforming contemporary schools so the idea of the socially-critical school can be realised.

'LEGAL problems of surrogate motherhood', *Law Society Journal*, Vol. 22, Sept. 1984: 587-588.

Explores the implications of the new *Artificial Conception Act* which came into force in New South Wales in August 1984, in relation to the claims of the biological father. The Act provides that any man (not being, in the case of a married woman, her husband) who produces semen for artificial insemination shall for all purposes not be the father of the child. If the mother of the child is married and her husband has consented to the artificial insemination procedures then the husband is the father of the child. If the husband has not consented or the mother is single, then the child has no father. The case of a surrogate mother who refused to give up her child is used to point to the failure of the Act to make allowances for all the different circumstances in which artificial insemination may take place.

RAYMOND, J., WHITEFORD, P., MOORE, J. and MITCHELL, D. *Some implications of the interaction of the personal income taxation and social security systems*, Research Paper No. 22, Department of Social Security, Development Division, Policy Review Branch, Canberra, ACT, 1984.

This paper examines trends in real disposable incomes, and also the relative positions of various groups in the community. It shows that these trends can be directly traced to policy changes in the social security and taxation areas since 1976-1977, and that the gap has been widened between families with and without children, and in particular between the poorest families and other members of the community. Complexities of the interaction between the social security and personal income tax systems are discussed, as well as whether the two systems are consistent in their treatment of different groups.

SHARPLEY, C. F., ROGERS, H. J. and EVANS, N. 'Me! Go to a marriage counsellor! You're joking!: a survey of public attitudes to and knowledge of marriage counselling', *Australian Journal of Sex, Marriage and Family*, Vol. 5, August 1984: 129-137.

This study was designed to determine what the general public knows about marriage counselling and what its attitudes are towards the profession and its practitioners. Data were collected by questionnaire and personal contact from a sample of 658 persons distributed across seven occupational categories, and ranging in age from 16 to 79. Respondents were from three States, Victoria, New South Wales and Queensland. Responses to eleven exploratory questions and selected items from the Spanier Dyadic Adjustment Scale (DAS) were recorded. Results suggest that marriage counselling is well regarded in the general community. While only 5 per cent of the sample had used marriage counselling, over half of those who had not said they would and were willing to pay for it.

Fault and Violence in the Family Court

by Mary Mannison
IFS Visiting Fellow

Recent violent incidents directed at persons associated with the Parramatta Registry of the Family Court of Australia have led to intense public debate about the *Family Law Act*. On 5 September 1984 a symposium on 'Fault and Violence in the Family Court' was conducted by The Faculty of Law, Monash University.

The Honourable Justice B. Treyvaud chaired the symposium and speakers included: The Honourable Mr Justice Fogarty, Judge of the Family Court of Australia and Chairman of the Family Law Council; Dr Robert Myers, President of the Australian and New Zealand Association of Psychiatry, Psychology and the Law; Professor Henry Fin-

lay, Associate Professor of Law, Monash University; and Mr Brian Knox, Principal Registrar of the Family Court of Australia. A message was sent from the Chief Judge of the Family Court, The Honourable Justice Elizabeth Evatt. The following is a brief summary of the symposium.

The Family Court is the largest court in Australia, with 44 judges, 504 staff, and 18 registries; 120 000 people use the Court each year. The speakers at this symposium discussed criticisms of the procedures in the Family Court, the problems faced by the Court, and the effects that certain changes might have on the functioning of the system.

The *Family Law Act* was passed in 1975 and came into effect on 5 January 1976. It replaced the 14 grounds for divorce (mostly based on fault or misconduct) existing under the *Matrimonial Causes Act* of 1959 to one single ground: irretrievable breakdown of marriage, defined by separation of the parties for a minimum of 12 months. Additionally, the Act abolished some of the formalities (robes, wigs), it separated the Family Court from other courts, and it staffed the Court with counsellors and welfare workers as well as judges in order to provide a 'helping court' — an environment which would promote working towards the best solution with a minimum of trauma.

It has been suggested that these changes, regarded as significant and sorely needed legal reforms at the time, are themselves responsible for violence; it is thought that somehow the ventilation of fault which occurred under the old system helped relieve emotional pressures which would otherwise find more damaging outlets. It has been further suggested that a return to the determination of fault in a formal, legalistic, and adversarial setting would simplify and clarify decisions regarding custody, maintenance, and division of property, particularly if the aura of an omnipotent, infinitely wise, and unapproachable court prevailed.

The feeling of the symposium was that while it is desirable that the Family Court be the subject of discussion and constructive criticism, and while there is no doubt that some difficulties have arisen in the implementation of the Act, inviting family law to turn back upon itself to solutions which have proved to be failures in the past is not the way to improve its services. The Act was designed to facilitate and enhance reasoned discussion and resolution of problems accompanying divorce and in this it has been successful in considerable measure. It was arranged to suit rational litigants and should not be abandoned for the sake of a small minority of irrational ones.

However, the Family Court is a new court and it deals in social law, not lawyer's law. It affects large numbers of people in the community in an emotively charged area, and only constant monitoring will ensure that family law will continue to reflect the social and moral attitudes of at least a significant majority of the population. From analyses of the functioning of family law by professionals working in the Court, as well as by clients, the following reforms seem essential.

- **The separation of counselling needs from the court process.** Despite encouragement given to parties to resolve their differences by agreeing among themselves, some 5 per cent of the divorcing population put their dispute to the court. It then becomes an adversary process which is in itself psychologically incompatible with a no-fault system. The Commonwealth has established two Family Law Centres, on an experimental basis, in an attempt to bypass the court system to a large extent. Each centre is readily accessible to the community it serves and provides a wide range of services on all aspects of family stress and family breakdown, from marriage counselling to conciliation and mediation.
- **The inclusion of aspects of family law counselling in undergraduate and continuing legal education.** The legal profession is educated within a dominant ideology of adversary proceedings which often leads to partisan rather than general advice, creating exaggerated expectations and fanning feelings of hostility and resentment. Practitioners dealing with problems arising from the dissolution of marriage need specialised training in human relations and mediation techniques. Family Law is not a required subject for most law students; some practitioners are not sufficiently acquainted with this area of the law to carry out their obligations at a reasonable level.
- **The design of a courtroom environment conducive to psychological composure.** The Family Court needs more colour, music, places for privacy and stress-release. The courtrooms are too small. There is a lack of proper conference space, waiting space, and staff space. People feel crowded; the proceedings undignified. The Family Court needs to be placed in proper court premises.
- **An increase in staffing levels.** The Court Counselling Service needs to be adequate to meet the needs of

consumers and the requirements of the Court when orders are made. Service must be available to clients *during* crisis periods and *after* a decision is given so that clients can discuss the implications and implementation of the judge's decision. The judges have too many cases on their lists to observe the niceties — a formal beginning and end to each case, for example. Also, clients need time to have a say during proceedings. The provision of extra staff would go a long way towards alleviating the very serious delays in the hearing of defended cases and in the preparation of reports in custody cases.

- **The systematisation of processing complaints.** Complaints about the family law are received by the Court, the Attorney-General's Department, the Family Law Council, and Members of Parliament. Some more central method of receiving and responding to complaints should be provided.
- **The creation of a responsive environment.** All staff should be capable of explaining procedures to confused clients; personnel should wear 'ask me' badges. Everyone, including counsellors, needs greater training to deal with emotional and angry people.
- **The publication of summaries of decisions.** The consumers need access to norms that the Court currently sees as acceptable. The public needs to understand the rationale for legal decisions. Judges need to compare decisions, in order to analyse the relationship between their decisions and their personal attitudes towards contemporary life styles, child-rearing practices, family relationships and values.

It is unfortunate that this discussion had to occur in the context of violence and the threat of violence and that the media treatment of the issues has not been conducive to reasoned deliberation. As Dr Myers put it:

> Although the gravity and horrifying nature of the recent violent incidents is beyond question, they have been few in number, particularly when compared with the vast number of people who have become involved with the Family Court. When one considers the vast number of cases dealt with by the Family Court, that the rate of psychological instability among litigants probably is higher than in the general community, the personal and emotional crisis the litigation often comprises, the bitterness and hostility often engendered in marital breakdown, perhaps it would be more appropriate to investigate why the frequency of associated violence has been so low.

Children and Young People in Institutional Care

by Paul Amato
IFS Research Fellow

The Senate Standing Committee on Social Welfare is currently conducting an inquiry into children and youth under institutional and other forms of care. At the committee's request, the Office of Youth Affairs has completed a submission outlining the views of the Department of Education and Youth Affairs as they relate to the Government's policies in this area. A report based on that submission is now available.*

The report reviews a range of issues relating to institutional care, including the types of care available, circumstances leading to the placement of youth in care, changing attitudes toward institutional care, alternatives to institutional care, characteristics of youth in care, effects of care on young people, and Aboriginal youth in care. The report reaches eight conclusions about institutional care and makes recommendations in relation to each. A brief outline of these conclusions and recommendations may be of interest to readers.

1 A lack of uniformity exists between the States and Territories in the level and method of payment of foster care allowances. The report recommends the consideration of a Foster Parents Allowance, paid federally through the Department of Social Security, to eliminate inconsistencies between States.
2 Support for continuation in the educational system appears to be lacking in many corrective and protective institutions. The report recommends that disincentives

* *Children and young people in institutional care: Report based on the submission to the Senate Standing Committee on Social Welfare 'Children and Youth Under Institutional Care'.* Prepared by the Office of Youth Affairs, Department of Education and Youth Affairs, June 1984.

preventing young people from staying in education while living in institutions be removed. This might involve subsidising institutions to enable young people to continue their education. Corrective institutions should also be encouraged to make greater use of TAFE and other training programs to prepare young people for life in the community after they are released.

3 Young people in institutions are often afraid to leave because of inadequate living skills and lack of social support once they are released. The report recommends that current programs be tailored to ensure that all youth are able to participate in a 'living skills' program. Support groups should also be established in the community to assist young people leaving institutions.

4 Many young people in care express feelings of alienation and lack of control over their destinies. The report recommends that young people be encouraged to participate in the management of their own institutions.

5 A general movement to deinstitutionalise both protective and corrective care exists. Although the appropriateness of this movement is currently being debated, there is evidence to suggest that a range of services will always be required. Hence, governments should be encouraged to maintain a range of services and should not allow residential institutions to run down through a lack of resources.

6 A large number of young people are in prisons, with young people who live in poverty being especially at risk of imprisonment. Because little is known about young people in prison, the report recommends that the Australian Institute of Criminology conduct a survey of all young prisoners to determine their social backgrounds and learn more about their reasons for engaging in criminal behaviour.

7 More girls than boys in their teenage years are institutionalised for status offences (i.e., offences only and because of the fact that a person is under the legal age of majority). The report recommends that governments study the issues involved with an aim to abolish status offences and rationalise the legal age at which young people may participate in certain activities.

8 A large number of young people are institutionalised in Australia at great cost and with little benefit. The report recommends that residential institutional programs be evaluated to determine whether they provide a stimulating environment in which children are able to develop their full potential and acquire the skills necessary to live in the larger society.

The issues raised in the report are of direct interest to families. Institutional care has traditionally existed both to protect and to correct young people. Thus, governments have had the power to remove a child from the home if the child is 'neglected', as well as the power to punish the child if his or her crime is severe. Although legislation in this area generally acknowledges the fundamental importance of the family in caring for children, governments have had the ultimate responsibility to guarantee that children are adequately cared for, and that members of the community are safe from juvenile law-breakers. However, in recent years a movement towards deinstitutionalisation has emerged, with the view being expressed that protective and corrective care should be returned to families and the community. It is argued that large State institutions, because of their impersonality, inflexibility, isolation from the community, and social stigma cannot adequately meet the needs of young people.

However, community-based alternatives to institutionalisation also pose problems. The ideal level of support services necessary to assist young people in a community setting may require more resources than authorities are prepared to provide. Furthermore, community care may place extra burdens on the family. Evidence cited in the report indicates that common reasons for child institutionalisation include breakdowns in family relationships, as well as family problems with housing and income. With increasing rates of divorce and numbers of families dropping below the poverty level, many families are unable to care for their own without outside assistance.

The need for a broad perspective on problems of youth seems necessary. In relation to youth crime, the data indicate that most offenders come from backgrounds of poverty. Frequently, unemployment, homelessness, and drug use are also implicated. Given the difficult situation facing young people, many crimes can be seen as expressions of frustration and powerlessness, or as acts of outright necessity. The numbers of children in corrective institutions has dropped in recent years, with courts being less likely than before to convict and institutionalise young offenders. However, there seems to be little good in returning young offenders to their families if poverty and unemployment are still as grinding as ever. Policies which address prevention, rather than correction, appear to be useful (a point which is stressed in the Office of Youth report). Thus, the best long-term alternative to institutionalisation would be to guarantee adequate incomes, employment, and housing to families and to young people leaving home.

The Institute's Publications Program

by Mari Davis
Head, IFS Family Information Centre

In the August 1984 issue of the *Newsletter*, we announced the introduction of charges for all IFS publications other than the *Newsletter* and the Family Information Centre series, *Selected Reading Lists* and *Fact Sheets*, which are produced by the Centre as part of its information assistance to enquirers.

The new IFS brochure, containing the revised IFS *Publications List* and *Order Form*, together with a letter explaining the new charges, was sent out in early September to every address on the Institute's mailing list, now approximately 6000 address records.

In October every library registered on the mailing list was sent a letter outlining a service for supply of standing orders of IFS publications offered by James Bennett Pty Ltd (4 Collaroy Street, Collaroy NSW 2097). Many libraries have already taken up this option as the Institute is unable to provide a standing order service. It is hoped that IFS titles will be available in 1985 through the Australian Government Publishing Service (AGPS) and its bookshops in capital cities. The AGPS mail order service is able to supply orders to organisations and this service could assist individuals as well. The Institute is trying also to encourage university and college bookshops to stock those IFS titles listed on the recommended reading lists of courses offered to students.

Contrary to those pessimists who predicted a fall off in demand, the Institute's Distribution Officer, Catherine O'Connor, has been run off her feet fulfilling the orders. In the long term it is hoped that the publications program can return much of the external cost of producing publications so that new information dissemination projects can be developed.

There have been occasional delays in the supply of orders during the first six months of the new pay-and-order system. These delays have been due to the resignation of Pat Knight and the reappointment of a new Distribution Officer and problems associated with setting up the administrative procedures for the receipt of public money. We are hopeful now that orders can be fulfilled fairly promptly.

Catherine O'Connor
IFS Distribution Officer

Since the last report on new publications and information projects, the Institute has launched its new online bibliographic database called FAMILY (previously short-titled AFAM) on the national network AUSINET (see article in this issue). Among the new publications is the *FAMILY Database User Guide and Thesaurus*. This is an important publication because the Thesaurus of subject terms used to index documents included in FAMILY will help to stabilise the terminology of family studies through the use of *Scope Notes* and the indication of preferred terms. At the end of November the full content of documents indexed in FAMILY Database was read off onto tape for conversion to printed format for hard copy publication. This publication will appear in January 1985 as *FAMILY Database Volume 1, 1984*. An annual volume will be published each December from now on.

The other Institute publications released in the four months since August 1984 are described below. Orders for these can be made to the Institute's Distribution Officer together with pre-payment made out to *Institute of Family Studies Publications*. Libraries can place orders direct with James Bennett or their regular library supplier.

The following is a resumé of some of our recently published titles.

Annual Report 1983-84. Price: $3.00
The Institute's Annual Report for 1983-84 covers activities and progress over the year in the major research projects

and in its special areas of interest. This report looks particularly at the structure and operation of the Institute and makes comments and recommendations on possible improvements to the administrative difficulties currently being faced. Thus the roles and functions of the Institute are examined in the light of public expectations of the Institute and its present ability to conduct its work as a government research and advisory body on families in Australia. Also reported on are the developments in the information services provided by the Family Information Centre and the difficulties faced by the Institute's central computer service which was set up to support the IFS research investigations and surveys.

XXtn International CFR Seminar

Social change and family policies, Melbourne, Australia, 19-24 August 1984. In 5 volumes (August 1984). Price: $50.00 (full set); Parts 1, 2 and 5 $12.00 each; Parts 3 and 4 $7.00 each

The twentieth International Seminar of the International Sociological Association's (ISA) Committee on Family Research (CFR) was held in Australia in August 1984 under the sponsorship of the Australian Institute of Family Studies in Melbourne. These five volumes contain the papers and proceedings of the Seminar on the theme 'social change and family policies'. As is usual with CFR Seminars, many of the papers were published (in Parts 1-4) prior to the Seminar. Each *Key Paper* is accompanied by the invited *Discussant Papers* which present critical comment and analysis. In addition there are other presentations by family researchers published as *Free Papers* relating to the general theme of family policy. These Seminar proceedings, 22 Key Papers with attendant Discussant Papers and ten Free Papers, are presented within the following sub-themes:

- Is the family worth supporting? Pressures, conflicts and expectations of family life
- Major demographic trends affecting family policy
- Families with children — social policy approaches to family support and education
- The administration of family policy — world-wide trends
- Youth policies and the family — work-education relationships
- Work, economic policies and welfare consequences and responsibilities
- Intergenerational exchange, ageing trends and the public/private support dimensions
- Legal regulation of the family and the effect of changes in families

Part 5, to be published in January 1985, will include those papers not previously published together with summaries of the opening and concluding sessions. An index of all Seminar delegates will be included as well as an author index.

FAMILY Database User Guide and Thesaurus

Edited by Deborah Whithear (September 1984). Price: $10.00

This User Guide to the Institute's newly available online FAMILY Database outlines succinctly what users need to know to access and use the information it contains. The guide describes such things as the subject scope and coverage of the database; how documents are organised within formatted fields and free text paragraphs; which journals are scanned for relevant material and which are indexed comprehensively.

The guide includes the first edition of the FAMILY Database Thesaurus, a specially created index of family studies subject terms. The thesaurus follows the traditional format listing together with all related terms — broader terms, narrower terms, preferred terms and synonyms. The use of Scope Notes to define subject terms is a particularly useful aspect of the thesaurus because the language of family studies is in a state of flux with contributions from the terminologies of many disciplines and professional fields. The FAMILY Database Thesaurus may well provide some much needed stabilisation to family studies terminology by providing standard definitions of usage.

Monograph No 5

'We can Manage': Expectations about care and varieties of family support among people 75 years of age and over, by Alice T. Day (December 1984; available 1985). Price $10.00 approx.

The data for this monograph come from qualitative, in-depth interviews with 23 people aged 75 years and over living in Sydney. The interviews were designed to explore the significance of family support to people in old age, looking at their family relationships as part of an overall life trajectory.

The monograph makes two contributions to policy considerations about the aged and their family support. First, it increases understanding about what actually goes on in the lives of older people and provides a vivid picture of how real families in different social settings actually go about meeting each other's needs. Second, it increases understanding of the possible effects of social change —

change in the expectations of the aged themselves, and change in older people's likely sources of informal support, both kin and non-kin.

The author identifies three basic needs of very old people: affective support, opportunities to feel useful, needed and appreciated, and small contributions of instrumental assistance from a variety of different sources.

Discussion Paper No 12

Changing families, changing schools: parent involvement in schools, by Gay Ochiltree (October 1984). Price: $1.50

This paper gives an overview of the changing relationship between school and family in Australia, including a section on major changes which have occurred in Australian families. It also examines the many forms of school and family relationships ranging from informal get-togethers to the formal requirement that parents, as well as professionals, have a part in the decision-making process of schools. In this section the distinction between parent participation and parent involvement in schools is discussed. Special attention is given to the situation in Victoria — a State in the process of legislating for a closer working relationship between parents and schools through local school councils.

Marriage Counselling Initiatives

by Ilene Wolcott
IFS Research Fellow

The following review describes two recent reports of initiatives taken by marriage counselling agencies in response to concerns about the problems of unemployment and domestic violence as they affect marital and family relationships.

Domestic Violence: a Marital Counselling Perspective, National Marriage Guidance Council, 1984.

Violence in the family in the forms of spouse battering, child abuse and incest is receiving increased attention by State governments and community advocacy groups. In the past few years nearly every State has convened a task force to investigate issues of family violence (for example, d'Abbs, P. (1983) 'Domestic violence between adults in the Northern Territory'; Victorian Office of Women's Affairs Domestic Violence Committee (1983), 'Report of the Legal Remedies Sub-committee'; and the NSW Child Sexual Assault Task Force (1984)).

In response to the heightened awareness and growing concern about the prevalence of domestic violence, the National Marriage Guidance Council of Australia held a workshop in April 1984 on this topic. The aim of the workshop was to look at domestic violence in the family setting with the objective of enhancing counsellor understanding and skills in the treatment of couples caught up in violence.

Each of the eight constituent Councils in all the States and the Northern Territory were requested to interview ten consecutive clients as a quick sketch attempt to gauge the extent and nature of physical violence within the past 12 months among marriage counselling clients.

Of the 154 client responses, 37 per cent (54) reported actual violent episodes within the past year while another 8 per cent claimed threatened violence.

In those cases where violence had occurred, women were the victims in 45 per cent of cases while women were responsible for inflicting violence on their male partners in 21 per cent of cases. Mutual violence took place in 33 per cent of incidences.

More than one form of violence was noted in a number of cases and slapping, hitting and punching were the most common forms. Medical attention was required by nine men and two women as a result of violence.

The counsellors were asked to indicate an explanation for the violence. In 8 per cent of cases alcohol and drugs were considered contributing factors; however the rather vague category 'release of frustration' accounted for 40 per cent of the explanations.

Considering the small sample upon which these results were based, the proportion of violent incidents is disquieting. When added to the responses of other recent surveys, these results suggest the relative magnitude of the problem in Australia.

The report includes a series of briefing papers which explore the areas of how to work with both the victims and the perpetrators of violence, the social context of violence, counsellor concerns and biases, and intervention strategies for common patterns identified as being associated with violence between family members.

Four constructs were considered to contribute to patterns of violence — jealousy, status change, life style and isolation — all of which reflect various aspects, degrees and dimensions of autonomy, dependence, cohesion, and control within families. Jealousy usually represents the fear or threat of loss of a significant person, or of that person's support and services, whereas status change is related to changing expectations, attitudes and behaviours between men and women over the past decades. Similarly, patterns of family functioning (or life style) can underlie the potential for violence; in this context, family functioning includes dimensions of enmeshment, disengagement, rigidity and chaos. Isolation, whether social, cultural or geographic, removes people from support networks and may be a means of keeping a spouse away from outside influences.

Other papers in this report review the nature of violence as a reflection of political and civil rights issues and within the context of small group therapy.

While the issues of domestic violence have been dealt with more thoroughly in many books, journal articles and task force reports, this report presents a practical and informative perspective from the point of view of marriage counsellors who are searching for more effective techniques for helping couples cope with the underlying causes that lead to violence between family members. The report also includes a comprehensive bibliography.

Copies of the report can be obtained from the National Marriage Guidance Council of Australia, 6 Morton Road, Burwood, Vic. 3125.

Unemployed Couples' Information and Discussion Groups, by Audrey Jones, Peg Pearsall and Dianne Gibson, 1984.

During 1982, marriage counsellors at several of the New South Wales Marriage and Family Centres became aware of an increase in cases where the family breadwinner, usually a husband in a skilled or unskilled trade hard hit by the economic recession, was unemployed. Between June 1982 and June 1983 in the Wollongong Marriage and Family Centre alone, 20-25 per cent of all new cases involved families whose breadwinners were unemployed.

Recent studies (Brewer, 1980; Windschuttle, 1979; Elder, 1979) have documented the impact of unemployment on family life. In addition to the serious consequences of financial hardship, being unemployed in a society that reveres and rewards paid work exacts psychological and emotional tolls. Unemployment has been associated with depression, loss of self-esteem, physical illness, social isolation and a deterioration in parent, child and marital relationships.

For the clients seen at the New South Wales centres, unemployment had brought about major disruptions in family life. The men experienced feelings of disbelief, guilt, anger and depression, and had withdrawn from social contacts. Wives reacted with feelings of support as well as resentment, while the children's responses to the heightened family conflict and tension contributed to the parents' sense of helplessness. It was often the problem behaviour of a child that brought the parents to counselling.

The counsellors found that the usual mode of relationship counselling was not sufficient to meet the overwhelming problems presented by unemployed clients. Counselling could not provide an income, a job, pay the heating bills or supply school uniforms. There was the feeling, too, that many couples who could benefit from help would not define their problems as marital despite the negative impact the situation had on their relationships. For these couples, financial worries dominated all else.

In looking for a way to address this concern, several counsellors (Audrey Jones, Peg Pearsall, Dianne Gibson) decided to run a series of information and discussion groups as a more appropriate format to attract people unprepared to admit they needed marriage or family counselling. Accordingly, during 1983 three groups were organised in the Wollongong region with participants coming mainly

(continued on page 25)

SUPPLEMENT

XXth International CFR Seminar on Social Change and Family Policies

Compiled by David Keane
IFS Deputy Director, Policy Implementation

Introduction

While attending the XIXth International Seminar of the International Sociological Association's Committee on Family Research (ISA-CFR) in Leuven, Belgium in 1981, the Director of the Institute of Family Studies, Don Edgar, was asked to host the next such seminar in Australia. As this would mean Australia would be the location of the first ISA-CFR seminar held outside Europe or North America and the invitation conveyed a gratifying recognition of the Institute of Family Studies' standing internationally, Dr Edgar gave a conditional acceptance. The organisation of an international gathering with over 200 participants was obviously going to be a major exercise, so initial planning commenced in 1982.

The Institute's financial and staffing resources would have proved insufficient to organise and run the seminar. A special appropriation was sought from the Commonwealth Government and with the assistance of the Attorney-General, Senator Gareth Evans, we were successful in obtaining extra funds to cover around two thirds of the direct costs. The remainder was absorbed within the Institute's normal budget at the expense of other activities.

Although much of the planning and organisation had to be undertaken by the Director and Institute staff, extra human resources were also required. Professor Orjan Hultaker of Uppsala University, Sweden, the current Secretary of ISA-CFR, spent three months in Australia prior to the seminar to assist with planning the program, determining who to invite as key speakers, assessing and commenting on key papers and the like. A professional conference organiser, Ms Jill Atkinson, was also engaged to handle details such as the conference venue, registration, transport, accommodation, the official opening dinner, a State reception and other social activities, meals and security. A good deal of the success of the seminar was due to Jill's initiative and imagination and to the work of her staff.

The seminar was held at the Victorian Arts Centre from 20 to 24 August 1984. In all, around 250 people attended and their reaction to the organisation and content of the seminar was overwhelmingly positive. Although all Institute staff contributed in some way to this success, we would like to pay particular tribute to the work put in by our Executive Officer, Peter Good.

Seminar Theme and Format

The theme chosen for the seminar, 'Social Change and Family Policies', was designed to ensure relevance to government policy considerations. Within the overall theme, nine individual sessions were programmed including a Free Paper session. The themes for the sessions were:

- Is the family worth supporting? Pressures, conflicts and expectations of family life.
- Major demographic trends affecting family policy.
- Families with children and social policy approaches to family support and education.

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Participants registered for the seminar in the IFS Family Information Centre

- The administration of family policy — world-wide trends. (This session was organised on behalf of the International Union of Family Organisations (IUFO), an international, non-governmental organisation which was included as a co-sponsor of the seminar.)
- Youth policies and the family/work/education relationship.
- Work, economic policies and welfare consequences and responsibilities.
- Intergenerational exchange, ageing trends and the public/private support dimensions.
- Legal regulation of the family and the effect of changes in family law.

Papers directed toward these themes were invited from leading overseas and Australian academics and researchers. In accordance with the practice adopted at previous ISA-CFR seminars, papers were invited well beforehand to allow time for them to be written and commented on by the organisers, revised (where necessary), and printed and distributed to participants in advance of the conference date. This allowed participants to read the papers before attending so that most time at the conference could be devoted to the more productive pursuits of discussion and questioning.

When the key paper presenters and their topics were decided, further eminent family researchers and academics were invited to act as discussants. Key speakers were allowed 15 minutes to address the major points of their papers. Discussants then had 30 minutes to comment on and promote discussion about the key papers before general comment and discussion from the floor. This format achieved for the most part our objective of making the seminar a participatory occasion with as much opportunity as possible for exchange of views and experiences.

Official Opening Address

by the Governor-General of Australia, His Excellency the Rt. Hon. Sir Ninian Stephen

A highlight of the seminar was the opening dinner held on the evening of the first day in the Great Hall of the National Gallery. The dinner was arranged to provide international guests with courses representative of the variety of Australian foods; entertainment was provided by the Schools of Music and Dance of the Victorian College of the Arts.

The official opening address, delivered by the Governor-General, Sir Ninian Stephen, is reproduced here in full.

> It is a great pleasure to be here for the opening of this twentieth International Conference of the Committee on Family Research. At least it is once one has mastered the relevant acronyms. Having done so, I find that what I really am pleased about is being asked to open this twentieth International Conference of the CFR, jointly sponsored by the IFS, the ISA-CFR and the IUFO.
>
> One of the Conference's main themes is to be the impact of policies on families; perhaps there may be time for brief discussion also of the impact of acronyms on us all. For they do, I think, have a profound and decidedly beneficial effect, at least upon those who use them, if not upon those upon whom they are used and who are unfortunate enough not to know their meaning. Their use is the hallmark of belonging, of being one of a warm and supportive 'in-group', not a rank outsider. To speak with ease of CHOGM, ANZUS, SEATO, NATO, OAU and ROK is nowadays enough to stamp one as an expert in foreign affairs or at least as a reader of *Time* magazine. Lawyers also relish strings of initials and no doubt social scientists have their own acronymic caste marks no less comforting.
>
> But, in all seriousness, what a splendid subject you have chosen upon which to focus attention. One of the fascinating features of our complex modern life is the unexpected and

His Excellency the Right Honourable Sir Ninian Stephen, Governor-General, delivers the official opening address at the Opening Dinner

certainly unintended interaction between initiatives in one field and consequences in another. Taxation is an area particularly rich in these fortuitous linkages, the whole pattern of urban development can be accidentally affected by a new capital gains tax, payroll taxes can unintentionally increase unemployment and municipal rating policies can produce shortages of fresh vegetables.

In just the same way, I do not doubt that government policies on a host of subjects apparently remote from the structure, cohesion and integrity of families may nevertheless have a crucial impact upon all aspects of the family. The family is, I suppose, the most responsive of all units in society simply because it is pervasive and extremely sensitive. Legislation on almost any topic, from infant day care centres to rates of pay in the armed services, from funding of Flying Doctor services to labelling of table margarine, affects the family in ways sometimes quite obvious, sometimes indirect and subtle yet no less significant because of that.

Which is, of course, why it is good to find this conference so aware of this fact and dedicated, over the course of the next few days, to some investigation of this phenomenon.

For sociologists, this must be an extraordinarily exciting time in which to live. Great wars and enslavements and great plagues apart, I suppose that at no other time in human history, at least since the beginning of the Industrial Revolution, has the institution of the family been subject to such stresses, and responded with such changes, as at the present time.

Surely the most significant fact for our species since we first learned to live together in communities has been the discovery and widespread, overt use of contraceptives. Nothing has so liberated women, so changed patterns of and attitudes towards female employment and, of course, so affected families, their size and composition, even their significance as social units.

Social change is no stranger to sociologists. I know very little of the history of sociology but I wonder if its genesis as a modern discipline does not lie in the social changes brought about by the Industrial Revolution. Its swing away from an agrarian, relatively unspecialised rural economy to one based on machine production in urban concentrations involved great movements of populations and great stresses on the role of the bucolic extended family. Then followed, after some delay, the tentative and reluctant involvement of the State in matters of social welfare, health and education, forced upon it by the social conditions which were the product of that Revolution. Gradually perceptions of what could be demanded of the State, of what was its role, were changing.

Gradually there emerged the concept of the welfare State. Australia and New Zealand were world leaders in the provision of social welfare at the beginning of this century, and yet what was then provided by the State was a pale shadow of what is provided today. The pensions and benefits of our social security system are very much twentieth century developments. At the Federal level, where responsibility for social security in this country principally lies, a range of measures such as widows' pensions and unemployment and sickness benefits were not introduced until the 1940s, by which time we were no longer world leaders in the field. Now social security expenditure has risen to more than a quarter of the Federal Government's budget — I am speaking about recent budgets, of course, and not providing an injudicious leak about one which is imminent — so obviously the State is now heavily involved in a role which historically is relatively new to it. This financial expenditure is an accurate index of the general extent of involvement by governments in Australian society, an involvement no less complex than society itself. The major fields

of social security, health and education apart, families and individuals are now intimately affected by government policies on taxation, housing, transport, indeed by all the other matters on which governments make decisions. It is a far cry indeed from the nineteenth century days of laissez faire, when, wars and taxes apart, government meant little to the life of the individual.

I suspect that almost in parallel with this process of increasing government intervention has come the development of sociology as a separate field of study, although the emergence of all the social sciences out of the realm of philosophy owes much, of course, to the Enlightenment of the eighteenth century and to the belief in a scientific approach to all inquiry.

My impression is that in Australia, sociology has only become firmly established as a discipline in academic institutions since the 1940s. Be that as it may, its development and the recognition of its importance has been very great, matching the changes in our society over those 40 years: vast immigration, economic boom and recession, change from a steady state of full employment to one of chronic unemployment, the sudden advent of high technology, the changed role of women not just in Australia but around the world. We have lived through and are living through one of the great social revolutions of all time and it is for our sociologists to identify its direction and extent and to advise upon its management and control.

Without sociology in all its facets we would feel ourselves at the mercy of these sweeping changes, ignorant of how they are affecting our social institutions, ignorant too of the correct decisions to be made in coping with change and without a proper understanding of the nature of our society and of the relationships of the groups within it.

The Institute of Family Studies, established only four years ago, is helping to fill one large gap in our knowledge, that relating to the fundamental social group — the family. Its research gives government and people a better understanding of how the family has been changing and how it may hereafter change in response to particular social phenomena and to government policies, actual and proposed. The Institute's work will enable better account to be taken of the welfare of the family unit, as important today as always to the welfare of the individual.

I welcome the visitors from overseas who have come to Australia and to this Conference to share with us their knowledge and to enliven discussion. The International Sociological Association is itself less than four decades old but has already greatly served the exchange of ideas across the world in this young and expanding science. I take great pleasure now in formally declaring open the twentieth International Conference of the Committee on Family Research.

IFS Director, Dr Don Edgar, welcomes guests to the Opening Dinner

Ms Julia Eckert from West Germany, Mr Helmut Willems (University of Trier, West Germany) and Ms Sue Girling-Butcher (IFS, Australia) at the Opening Dinner

Some of the guests at the Opening Dinner held in the Great Hall of the National Gallery

Photographed at the Opening Dinner are (from left) the Secretary of ISA-CFR, Professor Orjan Hultaker (Uppsala University, Sweden), Dr Valerie Asche and Justice Austin Asche (Presiding Member, IFS Board of Management)

Photographed at the Opening Dinner are Professor Margrit Eichler (Ontario Institute for Studies in Education, Canada) and Mr Rod Burr (IFS Board of Management)

One of the highlights of the Opening Dinner was a performance by dancers from the Victorian College of the Arts

Conference Papers

Session 1 Is the family worth supporting? Pressures, conflicts and expectations of family life

Key speakers

Professor Randall Collins (San Diego, California, USA)

'Social conflict and the place of the family: towards a theory of moral politics'

Ms Helen Glezer (IFS, Australia)

'Antecedents and correlates of marriage and family attitudes in young Australian men and women'

Professor Bob Lewis (Purdue University, Indiana, USA)

'Some changes in men's values, meanings, roles and attitudes toward marriage and family in the USA'

Discussants

Professor Bettina Cass (University of Sydney, Australia)

Professor Jean Kellerhals (University of Geneva, Switzerland)

Dr Thomas Lasswell (University of Southern California, California, USA)

Summary

In his paper, **Professor Collins** suggested that moral politics have surrounded the family since its formation and that current issues such as abortion, birth control and homosexuality attract conservative opposition which attempts to shore up the family against change. Professor Collins does not see modern feminism as a countervailing force to the pro-family traditionalists, for while feminists raise valid issues of equity and control within families, they focus on the individual while the traditionalists invoke 'the image of subordinating oneself to the collective good' and hence gain moral support. Professor Collins does see current trends leading to a diversity of family types but recognises that the high rates of marriage and remarriage evidence the continuing popularity of that state.

Dr Don Edgar (IFS Director) and Justice Austin Asche (Presiding Member, IFS Board of Management) welcome participants on the first day of the seminar

Ms Glezer reported on the attitudes of young (18-34 year-olds) Australians to marriage and family as indicated in the Institute of Family Studies' national survey in 1981-82. Attitudes towards relationships and family life have shifted with the demographic and ideological changes of recent years, according to Ms Glezer, though there was also strong evidence in favour of 'traditional' values. For example, three out of four young marrieds agree that it is acceptable for young couples to live together without planning to marry, even though almost half of the men

Professor Henry Finlay (Monash University, Australia) addresses the Chair during open discussion

Key Speakers for the first session of the seminar (from left) Professor Robert Lewis (Purdue University, USA), Ms Helen Glezer (IFS, Australia) and Professor Randall Collins (San Diego, California, USA)

and two thirds of the women feel that such an arrangement leads to lack of security. Similarly, while seven out of ten believe that children are an attraction of marriage, eight out of ten also believe you can have a satisfying relationship without them. Overall, the study reveals strong support for marriage but a realistic appreciation of how difficult it is to live up to one's ideal.

Professor Lewis considered that men's roles in marriage and the family are being challenged and redefined at a rate unlike that in the recent past. Research on men's attitudes and values reveals contradictory themes; some see men as feeling they receive less from marriage and family than in the past, others indicate men are finding fulfilment in nurturing children and adopting new roles. Although he observed that the meanings attached to the husband and father roles are more ambiguous now, Professor Lewis concluded that most men receive enough from marriage to marry at least once and many are willing to try more than once.

The major points raised by the **discussants** in relation to these three papers were the importance of social class issues and the influence of political and economic conditions on promoting or hindering the sharing of family responsibilities. It was suggested that while research indicates that men feel more positive about the family if they contribute to child care and women are similarly influenced if they contribute economically, account must be taken of the economic and policy constraints on both of them.

Session 2 **Major demographic trends affecting family policy**

Key speakers

Dr Arland Thornton (Institute for Social Research, University of Michigan, USA)

'Modernisation and family change'

Dr Peter McDonald (IFS, Australia)

'Implications for families of third world fertility trends'

Discussants

Professor Stella Quah (National University of Singapore, Singapore)

Professor Orjan Hultaker (Uppsala University, Sweden)

Professor Wei Zhangling (Chinese Academy of Social Science, China)

Summary

Dr Thornton considered in his paper the effect of political goals of economic development and modernisation on the family by analysing family change in Taiwan and comparing changes in Western European populations during their stages of modernisation. His paper looked at the

Professor Wei Zhangling (Chinese Academy of Social Science, China) delivers her Discussant Paper at the second session of the conference

Dr Andrew Burbidge (IFS, Australia) and Dr Fumie Kumagai (International University of Japan) photographed during a coffee break on the first day of the seminar

involvement of children in the family economy, the living arrangements of young adults, decisions about marriage and the autonomy of young people in making important life course decisions. Dr Thornton explored the change from a position where families were a focus for many of the central activities of society, including production, consumption, reproduction and socialisation, to the situation where family form and functions had to alter to meet the educational and skilled labour force requirements of modernisation. Hence the early productive capacities of children were affected, they cost more to maintain while undertaking education, parental authority was reduced, and the range of opportunities available increased.

In his paper, **Dr McDonald** argued that small family size is inconsistent with the family-based economic systems which still predominate in most third world countries. Family-based systems depend on the availability of an ample supply of cheap labour from within the family and upon alliances forged through marriage. More children therefore mean greater economic power and security for parents in their old age. Birth rates still remain high in South Asia, the Middle East and sub-Saharan Africa. In these areas smaller families are often seen as a threat to traditional social and economic organisation.

Discussants questioned the validity and meaning of the concepts 'modernisation' and 'westernisation'. They emphasised that the trajectory of change differed between cultures and that variations occurred within the one culture, also providing a legitimate area of study. The concept of 'westernisation' was seen as inappropriate to describe cultures undergoing change within non-western regimes, particularly in the case of China, where fertility decline had begun prior to recent cultural transition and hence could not be linked with 'western' ideology.

Session 3 **Families with children and social policy approaches to family support and education**

Key speakers

Dr Gilbert Steiner (The Brookings Institution, Washington, USA)

'Family policy as latter-day children's policy'

Professor Jan Trost (Uppsala University, Sweden)

'Divorces, children and the public'

Ms Gay Ochiltree and Dr Paul Amato (IFS, Australia)

'The child's use of family resources'

Discussants

Professor Marcia Lasswell (University of Southern California, California, USA)

Professor Hiroko Nishimura (Soka University, Tokyo, Japan)

Dr Len Tierney (University of Melbourne, Australia)

Summary

Dr Steiner argued that it is not possible for governments to have a family policy aimed at such vague concepts as improving the quality of family life. Love and affection cannot be enforced and even if they could who is to say that this is what is required. Further, many believe the family to be a private institution which should not be subject to State interference. However, Dr Steiner stated that children are those most vulnerable to social change affecting families and family policy should therefore be government action aimed at supporting children, the innocent victims of such change.

Professor Marcia Lasswell (University of Southern California, USA) delivers her Discussant Paper during the third session of the seminar. The Key Speakers are (from right) Dr Gilbert Steiner (The Brookings Institution, USA), Professor Jan Trost (Uppsala University, Sweden), Ms Gay Ochiltree (IFS, Australia) and Dr Paul Amato (IFS, Australia)

In his paper, **Dr Trost** examined the swing toward joint custody of children following divorce, a pattern emerging strongly in several Scandinavian countries and many American States. Swedish studies indicate about 15 per cent of custody arrangements are joint and with this trend Dr Trost argued there is a need for change in government policies. The elimination of 'fault' in divorce, he suggested, will improve relationships between the 'guilty' parent and children. The financial position of *both* parties must be adequate to ensure children are not disadvantaged in the custody of either parent, and joint custody must itself be an option on the grounds that it provides both parents with an ongoing role in their children's lives.

Ms Ochiltree and Dr Amato argued that children growing up in poverty stricken, multi-problem families are unlikely to develop into competent adults, although warm, supportive relationships can make up for lack of material resources to some extent. In their study of 400 children, Ms Ochiltree and Dr Amato also found that low competence children from well-off families often complained about lack of attention from 'workaholic fathers'. They argued for greater awareness of the role of the father in traditional two-parent families.

The **discussants** on these papers raised the possibility that 'preventative' family policies may often be needed and can be designed so as not to be intrusive. It was suggested that they can provide guidance, skills and empowerment which contribute both to family functioning and the well-being of children.

Session 4 The administration of family policy — world-wide trends

Key speakers

Professor Wilfried Dumon (University of Leuven, Belgium)

'Brief outline of the goals and activities of the IUFO' (on behalf of the President of the IUFO, Mr Pran Nath Luthra)

Dr Clio Presvelou (IUFO, Netherlands)

'World survey on the availability of family policy guidelines'

Madame Jacqueline Ancelin (Caisse Nationale des Allocations Familiales, France)

'Family policy and social changes in France'

Mr Pierre Cliche (Ministry of Social Affairs, Quebec, Canada)

'Family policies between demographic and social policies'

Discussants

Dr Adam Graycar (Social Welfare Research Centre, Sydney, Australia)

Professor Gordon Streib (University of Florida, Gainesville, USA)

Summary

Dr Presvelou reported on a survey of all members of the IUFO which sought to compile an inventory of the extent to which governments pay attention to the needs of families. Her paper dealt with the extent to which family rights are mentioned explicitly in constitutions, the degree to which representatives of families are officially recognised, and the main aspects of family policies listed. She concluded there is a shortage of comprehensive studies of family policies but a wealth of attention to specific aspects of family policy.

Madame Ancelin stated there are few kinds of intervention in French social policy which do not concern families. Contemporary policies reduce income taxes paid by families, distribute benefits and provide services in the areas of health, education, care and leisure. Policies have altered to take account of increases in the divorce rate, the number of sole parents and women in the workforce.

Mr Cliche described how family policy, as exercised by the Quebec government, is an integral part of social policy in that it takes account of demographic change and the aspirations of the population.

In his **discussant** role, Dr Graycar stressed that in order to create the necessary environment for social policy to succeed, different needs have to be met by different support mechanisms and programs. Governments, non-government agencies, families, and informal support systems each play a significant role. In general, governments are best able to provide tangible resources because they have them available through taxation; non-government agencies are better able to deliver services; while companionship and day-to-day family support is not delivered best by any form of bureaucracy. Professor Streib commented on the problems of policy making in the social welfare area, emphasising that policy makers generally addressed crisis issues rather than longer term considerations. Professor Streib also looked at the provision of services for the aged, commenting particularly on the different providers of care, group-organised alternatives to home or institutional care, and the possibility of combining some desirable aspects of family care with the positive features of bureaucracy in finding longer term solutions.

Session 5 Youth policies and the family/work/education relationship

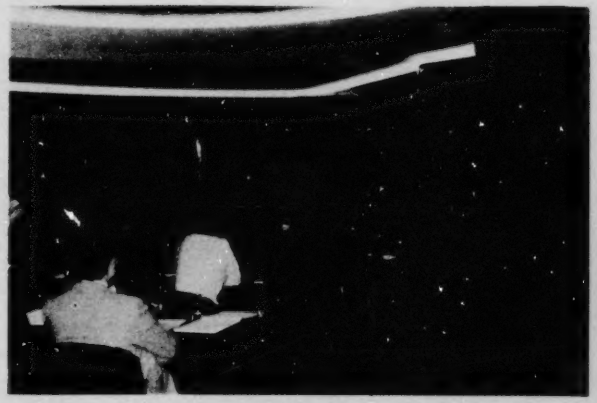
Key speakers

Professor Roland Eckert (University of Trier, West Germany)

'Youth conflicts and public policy challenges in Western Europe'

Dr Don Edgar and Mr Frank Maas (IFS, Australia)

'Adolescent competence, leaving home and changing family patterns'



Speakers at the fifth session of the seminar (from right) Professor Art Pearl (University of California, USA), Mr John Davoren (IFS Board of Management), Professor Ronald Eckert (University of Trier, West Germany) and Mr Frank Maas (IFS, Australia)

Discussants

Professor Art Pearl (University of California, USA)

Ms Beth Thyer (Victorian Trades Hall Council, Australia)

Professor Lea Shamgar-Handelman (The Hebrew University of Jerusalem, Israel)

Summary

Professor Eckert has undertaken a number of studies of youth conflict in Western Europe including studies of clashes between public housing authorities and young squatters, and conflict concerning the uranium issue. He concludes that the social conflict arising from young people's grievances cannot be avoided but the violence of recent years need not be repeated. With the growth of mass education and weakening of traditional authority structures such as the family, church, school and employment, youth has developed its own value systems. Young people, lacking money resources and political representation, have mastered the use of media to demonstrate their concerns.

In their paper, **Dr Edgar** and **Mr Maas** stated that research has shown young people are confused and uncertain about their future as a result of reduced employment opportunities, non-responsive education systems and rapid

Monsieur Jacques Commaille (Director, Centre de Formation et de Recherche et de l'Education Surveilee, Paris, France) and Dr Barbara Willenbacher (University of Hannover, West Germany) enjoy a coffee break during the seminar

family change. Young people's reactions were to leave home earlier (sometimes with frequent returns and leavings), marrying later or not at all, delaying childbirth and dissolving marriages in greater numbers and over shorter periods. They suggested that government policies must address the crucial issues of adequate income support for young people and their families, appropriate education and employment strategies and the need for affordable accommodation.

Discussants for this session ranged across a variety of issues. Professor Pearl spoke of the inadequate adult political responses to alienated youth, in particular education systems which were now a victim of changed economic conditions, for example, a slow down in the need for labour. He suggested that schools have become a storehouse for surplus young people. According to Professor Pearl, policy makers should be concerned with visions, seeking imaginative plans for meaningful jobs that create social wealth. The young should be included in the planning process. Ms Thyer suggested that the level of debate in this area isn't as high as it ought to be and hasn't reached far enough down. She also questioned broad policy approaches, such as cutting youth wages, on the grounds that they are likely to hurt those young people who are employed and do little for the hard core unemployed. Selective approaches based on particular segments in difficulty should be preferred. Professor Shamgar-Handelman suggested that as long as societies needed unskilled workers they would provide less education for working class people. As the need for unskilled people decreased, society would have to find ways to better educate them. However, these people would still often have less choice because the middle classes have greater options for pursuing alternatives, have a better chance of success and (through financial resources) better fall-back options if they fail.

Session 6 Free Papers

Free papers were accepted from nine conference participants. In view of the number and the limited time available, presenters were allowed ten minutes for their presentation and no discussion of them was possible.

Dr Frances Baum (Australia)

'There's no room in the nuclear family: sharing as an alternative housing option'

Mr Helmut Willems and Professor Roland Eckert (FRG)

'Youth protest in Western Europe — four case studies'

Dr Iteke Weeda (Netherlands)

'Changing ideals about the family and other life styles and their macro-sociological significance in the Netherlands'

Mr Wolfgang Voegeli and Ms Barbara Willenbacher (FRG)

'Family policy and the implementation of the Constitutional Equal Rights Clause in the FRG'

Dr Daniel Hunter and Dr Edna Hunter (USA)

'Mandated visitation for grandparents in custody disputes'

Dr Fumie Kumagai (Japan)

'Ageing and social policies in Japan'

Dr Peggy Koopman-Boyden (New Zealand)

'Mothers, fathers and 'big brother' in New Zealand — changes in New Zealand families and the policy response'

Dr Graeme Russell (Australia)

'Changing patterns of division of labour for paid work and child care'

Professor Wei Zhangling (China)

'Effects of population policy on families in contemporary China'

Session 7 Work, economic policies and welfare consequences and responsibilities

Key speakers

Professor Orjan Hultaker (Uppsala University, Sweden)

'Income security policies and the application of marginal or universal approaches'

Professor Margrit Eichler (Ontario Institute for Studies in Education, Canada)

'The familism-individualism flip-flop and its implications for economic and social welfare policies'

Dr Andrew Burbidge and Dr Frank Maas (IFS, Australia)

'Throwing out the baby . . . the need to assess unintended outcomes of tax transfer options'

Discussants

Dr Meredith Edwards (Department of Education and Youth Affairs, Australia)

Dr Peggy Koopman-Boyden (University of Canterbury, New Zealand)

Professor Wilfried Dumon (University of Leuven, Belgium)

Summary

Professor Hultaker argued that Sweden's tax and social service programs are 'inefficient' in that many people both pay taxes and receive pensions and benefits. With tax rates of more than 50 per cent it is difficult for most families to improve their economic situation. Professor Hultaker described non-income tested child maintenance payments for sole parents and child allowance payments of about $10 per week to all families with children as redistributively inefficient compared with income tested child care subsidies, housing subsidies and public assistance. However, income tested payments contribute to the very high marginal tax rates (often 100 per cent for families receiving public assistance) which makes it hard for people to improve their disposable incomes by working more. Professor Hultaker's examination of the situations of sole parents, two-earner couples with children and single-earner couples with children, finds that the single-earner couples are worst off under Sweden's tax and pension provisions. But as those couples avoid child care and other costs associated with work, he rejects family unit tax as a means of improving their relative position. He describes family unit tax as a sexist policy that would drive women out of the paid labour force and back into the home.

In her paper, **Professor Eichler** argued that individuals should be responsible for their own well-being but where they are unable to provide for themselves, society as a whole should take on that responsibility rather than it be borne by other family members alone. Also, the changing nature of family life means that it cannot be assumed that women and children will be supported by husbands and fathers who are not present in the family. Nor can it be assumed that women will shoulder the responsibility of caring for the aged or the infirm. Professor Eichler proposes that the State has the responsibility to provide for adults who need care and that the cost of raising children be shared by mother, father and the State, regardless of the marital status of the parents.

Dr Burbidge and **Mr Maas** claimed that debates about taxes and social security are partly a result of changes within families. They cited the significant increase in sole-parent families as having focused attention on the impact of the taxation and social security systems on their incentive to work, as well as the levels of income support provided. They also suggested that high levels of unemployment have increased inequality since the 1970s. The paper

Conference participants make their way to lunch in the Victorian Arts Centre

examines the redistributive impact and effect on marginal tax rates of two taxation proposals suggested for implementation in the 1984-85 Australian budget.

Discussants highlighted the need for more work on what is the appropriate income unit for analysis, the distribution of income within families and redistributive issues, especially the debate concerning universal versus selective provision of welfare assistance. It was also suggested that wholesale reforms rather than incremental adjustments to income security arrangements should be the aim and that a clear set of objectives had to be established in order to provide a focus for policies.

Session 8 Intergenerational exchange, ageing trends and the public/private support dimensions

Key speakers

Professor Karen Altergott (University of Missouri, USA)

'Managing interdependence: family development, policy and the care system in an ageing society'

Dr Peter d'Abbs (IFS, Australia)

'Family support networks and public responsibility'

Dr Hal Kendig (Australian National University, Australia)

'Social change and support of the Australian aged: individual, family and government responsibilities'

Discussants

Professor Hiroko Nishimura (Soka University, Japan)

Professor Laszlo Cseh-Szombathy (Institute of Sociology, Hungary)

Summary

In her paper, **Professor Altergott** addressed issues such as the effects of changing family composition on the provision of care for the aged, the consequences of family based care to the caregivers and the recipients of care, and how public policy has responded to meeting the challenges of caring for the aged. She concluded that family members may bankrupt themselves financially, emotionally and socially in the process of preventing the institutionalisation of an elderly relative. The role overload of women as caregivers, the problems of the elderly with no family resources and the failure of current policy to respond to the needs of family care of the aged were addressed.

Dr d'Abbs raised the importance to family care of informal support networks, like kin, friends, and neighbours, and the need for social policies to provide services to supplement these networks. He asserted that extended family networks continue to provide practical and emotional support between and within generations but warned that the changing demographic, economic and social environment affects the capacity of families to provide assistance in some areas. Dr d'Abbs concluded that informal support networks can only function effectively if they are in turn supported by adequate formal provision.

Dr Kendig said a study of the experiences of older Australians reveals that there is no trend away from families assuming responsibility for the care of elderly relatives. At the same time, the provision of government services for the aged, mainly increased pensions and home aids, has increased the personal independence of the aged, while nursing home subsidies have provided some substitutes for family care. Dr Kendig emphasised that family support can generate stress and economic and social deprivation for the care givers and so argues for increased benefits and services to assist the aged maintain autonomy and to supplement family care.

Session 9 Legal regulation of the family and the effect of changes in family law

Key speakers

Monsieur Jacques Commaille (Centre de Formation et de Recherche et de l'Education Surveilee, Paris, France)

'From a socio-legal approach to divorce to a sociology of socio-legal regulation as applied to the family'

Ms Margaret Harrison (IFS, Australia)

'The changing role of law in marital breakdown'

Professor John Eekelaar (Pembroke College, Oxford, UK)

'Legal systems and families'

Discussants

Justice John Fogarty (Family Law Council, Australia)

Professor David Hambly (Law Reform Commission, Australia)

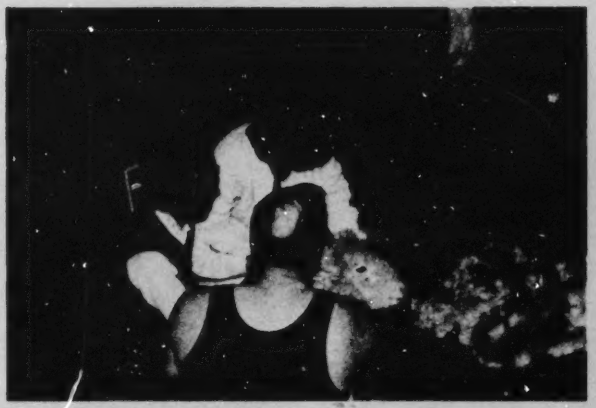
Summary

Reviewing the relationship between the law and social policy making on the one hand and the sociology of the family on the other, **Monsieur Commaille** concluded that sociology has been underutilised. He suggested that this limited use has resulted in a very incomplete view of the family and family practices, and a wider perspective may provide a basis for understanding some of the contradictions in the law and social policy. As evidence of contradictions he cited the civil law recognition in France only of couples who are married while the social law has moved to accept de facto couples.

Ms Harrison's paper traced the changing role of law in divorce and matters ancillary to divorce. With a world-wide trend toward 'no-fault' divorce, the law is playing a less central role in marriage termination. However, the law plays a more central role in ancillary matters such as maintenance and property settlements. The major feature of the law's role is the increased use of public law measures, notably the social security system. A combination of factors has brought about a heavy reliance on the pension system by single-parent families. Those factors include the inability of liable spouses to pay (particularly where they enter into a subsequent marriage), poor enforcement procedures and orders made for amounts insufficient to support a family.

Professor Eekelaar considers the solution to arguments over who should have responsibility for the financial support of children following marital breakdown lies neither in enforcement of maintenance orders nor the provision of public support. Instead we should be looking at the broader question of employment which currently disadvantages women and, in particular, female care givers. In his paper Professor Eekelaar traced the application of law to the family, notably how it coerces parents to look after their children. While care giving is regarded as a parental responsibility there is potential for conflict because individual autonomy is also endorsed by the law, permitting parents to opt out of one family and into another.

Discussant comment on these papers recognised the trend toward no-fault divorce and the coincident withdrawal of the State but suggested that society should not abandon its right of intervention in the family prior to breakdown; nor should society (both through the law and social welfare) fail to protect the financial interests of many divorced spouses and, particularly, children. It was also suggested that it is no solution to current difficulties to return to questions of fault. The view that loss of formal permanence of marriage necessarily results in less stable or lower quality care of children was questioned. Also addressed were the diminishing distinction between family relationships based on marriage and those that are not, and the implications for the law of matrimonial property of an attempt to reinforce through the law the equal status of husbands and wives.



Professor Wei Zhangling (Chinese Academy of Social Science, China) and Dr Fumie Kumagai (International University of Japan) inspect Australian fleece during a country barbecue for conference participants at the Mt Aitken winery near Gisborne

Closing Address

by IFS Director, Dr Don Edgar

In his address Dr Edgar acknowledged that his early impressions that the seminar would inevitably cover too much in not enough detail had been confirmed. The sessions had all proved exciting and stimulating but were at the same time frustrating because there was not enough time for discussion. While this was unfortunate, the trade-off benefit was that all participants heard all presentations and the discussions and exchanges which followed them.

The organisers had wanted the seminar to address two main approaches to the theme 'Social Change and Family Policies', said Dr Edgar. The first, the current impact of policies on families, had been well covered and should help to confirm in the minds of policy makers the range of areas which have an impact on families. This might be described as a descriptive exercise and it was a very important stage in the process of raising awareness at a political level.

The second approach was to explore the ways in which social changes in themselves impel us towards new policies. That also had been covered quite well. Many sessions had identified changing values and attitudes, particularly among the young. Demographic shifts are also important, with cohort differences being quite marked.

Dr Edgar went on to reveal that the term 'policies' had been deliberately used in the theme of the seminar rather than 'policy'. There now seemed little argument that it is meaningless to talk of 'family policy'; there are many family policies or policies which affect families. Depending on which word is emphasised, 'a family policy' presupposes either that there is one, archetypal, idealised family model towards which all others should be pushed or that one policy can be sufficiently encompassing to include all issues affecting families. Both constructions are manifestly absurd.

In turning to the issue of the legal regulation of the family, Dr Edgar suggested there were two elements needing emphasis. The first was that there is a variety of laws concerning families in addition to 'Family Law'. Some of the most important of these recently in Australia, as in many other countries, have been equal opportunity and anti-discrimination legislation. Their importance was that they brought home the fact that, beyond sterile arguments about women's rights or about men versus women, there was a need to establish legally the equal rights of individuals. The value of that legislation to individuals would translate over time into more equitable distribution of tasks within families, in employment and in the difficult job facing all families of managing both work and family responsibilities.

The other element concerning the legal regulation of families related to marriage rather than divorce. The legal meaning of marriage deserved more attention, in terms of notions such as marriage contracts. As well as considering the legal rights of the partners when the marriage ends, we should give more attention to their legal rights and responsibilities within marriage.

Dr Edgar also dealt with the responsibilities of researchers in the various areas of family research. He congratulated speakers and discussants for not presenting their material in a descriptive or 'objective' fashion. Instead they had demonstrated the courage of their convictions by being explanatory and indicative where the research leads. Researchers must continue to insist that 'research' is useless unless it is interpreted and extrapolated beyond the data.

In concluding, Dr Edgar emphasised the importance of using the research from seminars such as this to ensure that necessary policy changes occur. The aim must be a concerted effort at integrating a policy approach towards support of family life.

Seminar Proceedings

As mentioned earlier in this report, our intention was to reproduce the Key Papers and, if possible, the Discussant Papers before the seminar. With late changes to the program and other contingencies that aim was not fully achieved. However, we managed to get all but one of the Key Papers printed and distributed beforehand. These are contained in Parts 1 and 2 of the seminar proceedings volumes which are available for purchase from the Institute at $12 per volume.

Those Discussant Papers available in time were also printed and are contained in Volume 3. The papers included were those by Thomas Lasswell, Stella Quah, Marcia Lasswell, Lea Shamgar-Handelman, Merèdith Edwards, Wilfried Dumon, Peggy Koopman-Boyden, Laszlo Cseh-Szombathy and John Fogarty. This volume is available at a cost of $7.

Free Papers submitted beforehand were printed in Volume 4 which also costs $7.

The remaining material will be published in a fifth volume early in 1985. This will include the remaining Key Paper and Discussant and Free Papers, an index of speakers and participants as well as the opening and closing addresses. The cost of this volume will be $12.

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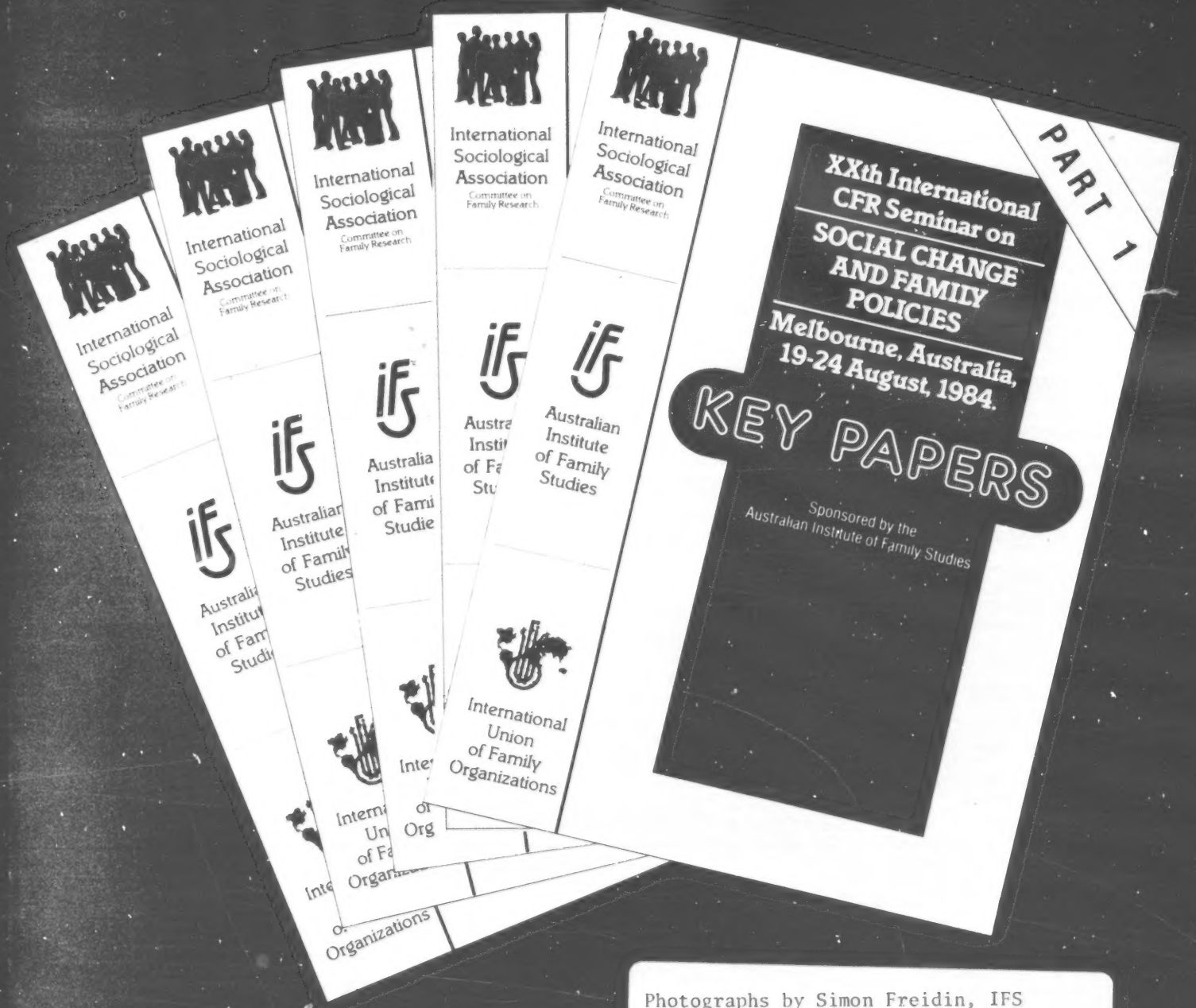
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PART 1
XXth International CFR Seminar on
SOCIAL CHANGE AND FAMILY POLICIES
Melbourne, Australia, 19-24 August, 1984.
KEY PAPERS
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Photographs by Simon Freidin, IFS Research Assistant

(continued from page 24)

through contact with local Neighbourhood Centres. The aims of the groups were:

- to acquaint group members with community resources;
- to facilitate social contact with others in similar situations and develop ongoing support groups to combat isolation;
- to enable group members to seek marriage and family counselling as the need was recognised;
- to help people maintain their self-esteem and sense of value while being without formal employment.

Each of the eight sessions covered a practical issue presented by a guest speaker from the relevant community agency. Topics included registration and job creation schemes, entitlements and benefits, money management, legal information about tenants' rights and hire purchase, leisure and learning alternatives, and child management.

In evaluating the outcome of the groups, the counsellors agreed that participants were able to move towards a more positive assessment of themselves, were beginning to try alternative plans and roles, and were able to form networks of social support among other group members. Participants were enthusiastic to 'sell the idea' to other unemployed people in the community. While the numbers participating in these pilot groups were small (approximately 15 couples), the positive outcomes reported by the counsellors suggest that such programs are a useful and innovative format for helping individuals cope with the myriad consequences of unemployment as they affect family life. At the present time three more groups are being established.

The authors raise the questions of how to make these groups accessible to more retrenched workers in the area and how to motivate the unemployed and their partners to take advantage of the sessions. Meeting the unemployed on familiar ground may be one answer. Unions, churches and sports clubs, for example, could be encouraged to become more sensitive referral sources for many unemployed people who come within their contact.

The scope for innovative approaches to help families cope with the effects of unemployment will increase as economic uncertainty continues. More individuals are likely to be without work for longer periods of time, including teenagers and young adults as well as the primary breadwinner in a family. The average duration of unemployment increased from 6.5 weeks in 1974 to 41.5 weeks in 1983.

It is to be hoped that the government will make funds available to encourage and support initiatives such as this.

The report is available from the Marriage Guidance Council of New South Wales, 226 Liverpool Road, Enfield 2136.

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Employment and Families

by Christine Kilmartin
IFS Research Fellow

The labour force status of families, in the form of the participation of parents in the paid workforce, is a matter of continuing debate. To provide a constructive framework for this discussion, severeal tables have been prepared which outline the relationship between various family factors and the labour force participation of one or both parents.

Labour force status of two-parent families

In Table 1, the joint labour force status of both parents in two-parent families with dependent children in 1983 is presented in relation to the age of the youngest child. It can be seen that of all families with one or more dependent children aged less than 5 years, 66 per cent had only

Table 1 Joint labour force status of parents with dependent children at home, 1983

Age of youngest child	Wife full-time			Wife part-time			Wife not in labour force				
	Husband f/t %	Husband p/t %	Husband not in l/f %	Husband f/t %	Husband p/t %	Husband not in l/f %	Husband f/t %	Husband p/t %	Husband not in l/f %	Total	('000) Families N
0-4	11.5	0.2	0.4	19.0	0.5	0.3	64.3	1.7	2.2	100.0	795.4
5-9	21.5	0.5	0.7	30.5	1.0	0.4	41.4	1.1	3.0	100.0	459.1
10-14	26.3	0.8	0.9	29.7	1.0	0.5	35.1	1.0	4.6	100.0	452.6
15-20	27.0	0.5	0.9	25.3	0.7	0.9	33.9	1.4	9.4	100.0	169.7
Total	19.0	0.4	0.6	24.9	0.8	0.4	48.9	1.3	3.6	100.0	1876.9

Note: Unemployment of husbands and wives has been distributed pro rata between full-time and part-time categories.

Source: ABS, Labour Force Status and Other Characteristics of Families, 1983. Cat. No. 6224.0

the father in the paid workforce, 11.5 per cent had both parents working full time, and 2.2. per cent had no parent in the paid workforce.

By the time the youngest dependent child is a late teenager, one in ten fathers has left the workforce, while two in three mothers are working — half of them full time. However, it appears that the presence of dependent children tends to keep older men working: those fathers in their early 60s with dependent children have a labour force retention rate of 53 per cent compared with only 45 per cent of their same-aged colleagues without dependent children.

Table 1 also shows an increasing number of families with older children (not yet in the paid workforce) with neither parent in the paid workforce, reaching almost 10 per cent of all families where the children are late teenagers. In 1982, government cash benefits (both temporary and long term) were stated as being the main source of income by 5 per cent of families with dependent children still at home where the father was over 35 years of age.

Comparison of two-parent and one-parent families

Tables 2 and 3 allow us to compare the full-time and part-time labour force status of both fathers and mothers in two-parent and one-parent families.

Fathers

Fathers in two-parent families maintain a high full-time rate of employment, and appear more likely to leave the labour force altogether than to work part-time. On the other hand, fathers in one-parent families have a lower participation rate, a lower full-time rate, and significantly more unemployment than their counterparts in two-parent families.

While the small numbers of male-headed one-parent families upon which Table 3 is based make individual rates somewhat unreliable, general trends are noticeable, particularly the decreasing unemployment and increasing

Table 2 Individual labour force status of parents in two-parent families with dependent children at home, 1983

Age of youngest child	Fathers				Mothers			
	Particip'n rate %	Employment status			Particip'n rate %	Employment status		
		full-time %	part-time %	unemployed %		full-time %	part-time %	unemployed %
0-4	97.1	90.0	2.2	7.8	31.9	33.0	54.1	13.0
5-9	95.9	92.1	2.5	5.4	54.6	37.8	52.9	9.3
10-14	94.0	92.3	2.9	4.7	59.2	44.6	49.7	5.7
15-20	88.8	93.3	2.6	4.1	55.3	49.0	46.3	4.8
Total	95.3	91.3	2.5	6.2	46.1	39.7	51.5	8.8

Source: ABS, Labour Force Status and Other Characteristics of Families, 1983. Cat. No. 6224.0

Table 3 Labour force status of parent in one-parent families with dependent children at home, 1983

Age of youngest child	Sole father					Sole mother				
	Particip'n rate %	Employment status f/t %	p/t %	unempl %	N '000 fams N	Particip'n rate %	Employment status f/t %	p/t %	unempl %	N '000 fams N
0-4	85.9	52.7	12.7	34.5	6.4	21.8	37.7	31.4	30.9	87.5
5-9	87.3	78.3	1.4	20.3	7.9	41.7	46.6	33.6	19.8	71.5
10-14	76.4	86.6	2.1	10.3	12.7	50.7	58.5	31.1	10.5	69.8
15-20	87.2	85.3	5.9	8.8	7.8	53.7	65.2	23.0	11.8	30.0
Total	82.8	77.5	5.2	17.0	34.9*	38.8	52.3	30.5	17.3	258.7

Notes: The discrepancy between figures supplied by ABS for this table and figures for male-headed one-parent families in published tables is recognised.

The small numbers of male-headed one-parent families in particular age categories may produce a significant amount of random error for particular rates.

Source: Unpublished tables supplied by ABS from Labour Force Status and Other Characteristics of Families data, 1983

full-time work rates as their children grow older. While only 17.2 per cent overall are not in the labour force, some 20 per cent in 1982 stated that government cash benefits were their principal source of income.

As Table 4 shows, children who live with sole fathers are more than three times as likely to have that parent in the full-time workforce as children who live with sole mothers. When we compare these children living with sole fathers with children who live with two parents, we find the one-parent families are four times as likely to have their one parent in the full-time workforce as children in two-parent families are to have both parents in the full-time workforce. These comparisons are most marked when the children are young.

For fathers in care of children alone, full-time work is not as frequent as for fathers with wives present, even when the youngest dependent child is in late teenage years. For males though, the experience of being a sole parent differs from that of females in two respects that have a bearing on possible workforce activity — sole fathers are more likely to have older children than sole mothers (Table 5) and slightly more likely to have fewer children (Table 6).

Table 4 Full-time labour force status of parents according to ages of dependent children present, 1983

Age of youngest child	One parent		Two parent		
	father full-time %	mother full-time %	both full-time %	father full-time %	mother full-time %
0-4	68.8	11.9	11.5	94.7	12.1
5-9	82.3	24.2	21.5	93.3	22.7
10-14	74.0	33.2	26.3	91.2	28.0
15-20	82.1	39.7	27.0	86.2	28.4
Total	77.4	24.5	19.0	92.9	20.0

Notes: The small number of male-headed one-parent families in particular age categories may produce a significant amount of random error for particular rates.

Unemployment for father and mother has been distributed pro rata between full-time and part-time categories.

Source: ABS, Labour Force Status and Other Characteristics of Families, 1983. Cat. No. 6224.0

Table 5 Proportions of male and female one-parent families according to ages of dependent children present, 1983

Age of any dependent children present	*Male headed*		*Female headed*		*Total*	
	'000 fams N	*%*	*'000 fams N*	*%*	*'000 fams N*	*female %*
0-9	15.8	43.2	155.8	60.2	171.6	90.8
10-14	12.0	32.8	72.0	27.8	84.0	85.7
15-20	8.8	24.0	30.9	11.9	39.7	77.8

Source: ABS, Labour Force Status and Other Characteristics of Families, Australia, 1983. Cat. No. 6224.0

Table 6 Proportions of male and female one-parent families according to numbers of dependent children present, 1983

Number of dependent children present	*Male headed*		*Female headed*		*Total*	
	'000 fams N	*%*	*'000 fams N*	*%*	*'000 fams N*	*female %*
one	20.1	54.9	129.8	50.2	149.9	86.6
two	11.0	30.1	86.4	33.4	97.4	88.7
three or more	5.5	15.0	42.4	16.4	47.9	88.5

Source: ABS, Labour Force Status and Other Characteristics of Families, Australia, 1983. Cat. No. 6224.0

Mothers

There is a significant increase in labour force participation rates of mothers, whether in two-parent or one-parent families, as their youngest dependent children grow older, mostly through increased full-time participation and decreased unemployment rates. For mothers in one-parent families, however, the increase is steeper, starting off at a lower rate when pre-school children are present (where the participation rate is 21.8 per cent compared with 31.9 per cent for mothers in two-parent families) and rising to a rate almost equivalent to their peers who have husbands present — 53.7 per cent compared with 55.3 per cent. The effective full-time rate of sole mothers, however, is higher than that of mothers in two-parent families except when pre-school children are present (Table 4). Despite this, in 1982 some 69 per cent of mothers in one-parent families stated government cash benefits as being their main income.

No evidence is available to compare the length of time a parent is likely to remain in a one-parent family. The observable differences in labour force participation are not sufficiently marked, however, to explain totally the divergence between participation rates of sole fathers and sole mothers. Role expectations most probably continue to exert an influence on these families beyond the sheer economic forces.

Effect of children on labour force participation

The number of dependent children present has less of an effect on women's workforce activity than the ages of children. For those in two-parent families, the decrease in participation is from 47 per cent for those with one or two dependent children to 42 per cent for those with three or more children. For women in one-parent families, the decrease is from 41 per cent to 33 per cent. Fathers fare differently, those in two-parent families retaining a labour force participation of over 93 per cent, regardless of the numbers of children, while males in one-parent families also show a decrease when they have the care of three or more children (although the small number of males in this category may in part be responsible for the size of the decrease, from 82 per cent for those fathers with one or two children to 67 per cent for those with three or more) (ABS, 1983, Tables 11, 19).

The most startling differences between fathers and mothers in one-parent families and their colleagues who have a spouse to share domestic responsibilities is the high unemployment rates which the sole parent experiences, particularly when the children are young. One in three sole parents of either sex recorded themselves as being unemployed at the time of the survey and for both groups, their unemployment rate never dropped as low as that of their peers in two-parent families, regardless of the age of the children.

Labour force status of couples without dependent children

Finally, as a comparison, the labour force status of couples without dependent children present has been included (Table 7). The high proportion of couples where both are out of the labour force (36 per cent) reflects the fact that this table contains both young couples who have never had children and older couples whose children are no longer dependent and in most cases not living at home any more. In four out of five couples without dependent children, the husband is over 40 years of age, and in one out of four couples, the husband is over 65.

Women

Although the overall full-time rate for women in these families without dependent children is 27.2 per cent, their total participation rate is less than 37 per cent — a rate which is affected by the presence of elderly women in the group. Prior to having children, women retain a labour force participation rate of over 80 per cent. For instance, in 1983, women aged 24 had a labour force participation rate of around 94 per cent if they were not married, almost 90 per cent if they were married with no children and only 30 per cent if they were married with children.

Men

The participation rates for husbands without dependent children drops steeply between the ages of 55-59 and 60-64, from 80 per cent to 45 per cent. In 1982 almost 15 per cent of all married couples without dependent children and with husbands aged between 35 and 64 were mainly dependent on government benefits or pensions, presumably most of these couples falling at the older end of the spectrum. For those where the husband was over 64, almost 72 per cent of couples said that their principal source of income was a pension.

Further analysis of labour force data

So many factors which families juggle have not been considered here in relation to participation rates. In particular, the interacting effects of education and income levels on parents' labour force participation require further consideration. Developmental work is currently being done at the Institute on the 1981 Census Household Sample File which should enable us to present further data later.

Table 7 Joint labour force status of parents without dependent children at home, 1983

Wife full-time			*Wife part-time*			*Wife not in labour force*				
Husband f/t	*Husband p/t*	*Husband not in l/f*	*Husband f/t*	*Husband p/t*	*Husband not in l/f*	*Husband f/t*	*Husband p/t*	*Husband not in l/f*	*Total*	*('000) Families*
%	%	%	%	%	%	%	%	%	%	*N*
25.1	0.8	1.3	9.6	0.8	0.9	23.4	2.0	36.0	100.0	1552.3

Source: ABS, Labour Force Status and Other Characteristics of Families, Australia, July 1983. Cat. No. 6224.0

3.

Family Life in European Countries

Summarised by Liz Sharman
IFS Information Officer

The following brief summaries of changes in family life in several European countries are based on reports published by the Vienna Centre, or European Coordination Centre for Research and Documentation in Social Sciences. The document is titled *Changes in the life patterns of families in Europe*, Volume III: National reports from Belgium, Netherlands, Poland, Slovenia (Yugoslavia). Summaries of reports which appeared in Volume I (Finland, France, Federal Republic of Germany, Great Britain, Hungary) were presented last year in *Newsletter* 6; summaries of reports which appeared in Volume II (Italy, Sweden, Norway, USSR) were presented in *Newsletter* 7.

The Vienna Centre was created in 1963 as a result of a UNESCO resolution to promote cooperation between East and West European countries in all areas of the social sciences. These comparative studies of families in Europe have been undertaken through the Vienna Centre with a view to assisting family policy formulation. Participating governments, in an effort to overcome the influences of national and ethnocentric views, submitted national reports on postwar developments affecting families on prepared and mutually agreed guidelines.

The focus of attention in these reports is on how family units operate, the expectations of society about families, the resources available to family units and how these are used, with discussion of the division of labour — both paid and unpaid, and the roles of men and women.

The Netherlands

Economy Recovery after the war was positive until the mid-1970s, with full employment during the 1960s and low unemployment until the late 1970s. However, now the adverse effects of serious economic problems, mainly caused by the influx of cheaper foreign goods in the 1980s, are very much in evidence.

Labour force The composition of the labour force has changed with young people remaining longer at school. Married women are being employed in increasingly large numbers, mainly in part-time work and often in marginal jobs. Many of the foreign labourers who came to the Netherlands in the 1960s and 1970s are now unemployed. Income and wages, which were increasing until the late 1970s, have stagnated in the 1980s.

Population In common with most countries, the population is increasingly aged with slight indications that the birth rate has stabilised. One-person households and one-parent families are on the increase. There is a decline in the popularity of marriage, with the age at marriage rising. Divorce is more frequent, with one in four marriages failing. There is a social acceptance of cohabitation.

Welfare In postwar years a welfare system based heavily on the traditional family unit has been built up with a range of family allowances and sickness, unemployment and disability benefits being introduced in the 1960s.

Family In 1971 a number of changes were made to laws to give spouses more equal status in decision making. However, the old family ideology is taken for granted and the Netherlands still fosters the organisation of society on the basis of the husband as earner and the wife as caretaker. There are indications in recent opinion research that the emphasis is shifting from the family per se to the importance of good interpersonal relationships. There has been some recent interest in 'central' living or independent housing with some shared central facilities.

Belgium

Economy and labour force The Belgian report made little mention of the general economy and labour force apart from the comment that there is an increase in the employment rate of married women, although women have limited access to certain professions and seem to be used as a reserve labour force, the first to go in hard economic times.

Population Nuclear families dominate, especially what the report calls medium households (2-5 children). Young people are leaving home earlier; there has been a growth in one-person households; there is some evidence of an increase in cohabitation. There is a growing interval between marriage and first birth with a shorter period of

childbearing. Divorce on the two grounds allowed in Belgium, mutual consent and 'on particular grounds', are both increasing.

Household labour There is evidence of an evolution towards a more egalitarian division of household tasks in studies of both the Belgian and Dutch speaking population.

Welfare Child care has been government regulated since 1965. However the majority of working parents still make use of relatives for the care of their children, according to a study of the Dutch speaking community. The numbers of aged people have tripled in the last 50 years. Many of them continue to live on their own and appear to value independence highly. Use of government provided services is low with the elderly preferring to turn to their partner or children for help.

Housing There is an increase in the average size of dwellings. They are, however, increasingly difficult to buy and State Grants are no longer an effective help.

Slovenia (Yugoslavia)

Slovenia is one of the six republics which make up the Yugoslav Federation.

Economy and labour force Since the war Slovenia has experienced rapid industrial development. In the 1963 Constitution, State control of the economy was split to allow a concept of 'market socialism' where work organisations were managed by the workers with some degree of independence. The high rate of economic growth began to decline in the 1960s. Women made up 45 per cent of the workforce in 1981. The official attitude is strongly against the idea of women being employed in part-time jobs with their implied lesser status. Women still do not have equal opportunities in employment, nor equal pay, though some research data reveal that many women consider a professional career to be secondary to their duties as mothers and housekeepers.

Household labour The socialisation of household activities (that is, the payment for housework) which has been put forward in political programs has no chance of being put into practice at this stage, according to the authors of the report.

Population The marriage rate has decreased and the number of people living together has increased. Under a 1974 law on marriage and the family, people who live together have the same rights and obligations to each other and their children as married couples. Two-child families are the norm. There has been a continuous rise in the divorce rate and under the present law the procedure for divorce is very simple provided all necessary arrangements have been made for the children. A revision of the abortion law in 1977 left the decision for an abortion up to the woman concerned. There has been a recent increase in the number of abortions which the authors attribute to a distrust of contraceptive methods.

Welfare Maternity leave of three and a half months around the birth of a child can be extended if the child needs special care. This prolonged leave can also be transferred to the father. Child allowances are means tested and are losing value. In 1977 they covered 17 per cent of the cost of caring for a child. Child care has been extensively developed but demand still outstrips supply with facilities for children under three years being especially limited. After school care under the supervision of a teacher is available in one out of three schools. The elderly, who comprise 12 per cent of the population, are not showing a great interest in retirement homes. The national health and old age pension scheme covers almost all the population. Unemployment has hit Slovenia hard in that the entire social welfare policy hinges on full employment.

Poland

Economy Since the war Poland's change under socialism from an agricultural economy to 54 per cent industrial has shifted a large part of the population from villages to industrial centres.

Labour force There has been a massive growth in the numbers of women working with 75 per cent of married women having a job. Reconciling work and family continues to be a major problem for Polish women.

Household labour According to Polish data women generally work less in paid employment than men and devote more time to household obligations. The participation of men in household tasks is mostly in child care, washing dishes, cleaning and handling household paperwork. Men have more leisure time than women.

Population Poland has seen a constant population growth with increased life expectancy. There has been a drop in the average number of children in the family and a

general drop in the size of households. The divorce rate is increasing. In 11 per cent of families the mother is the head of the household.

Income No mention is made of unemployment in the report from Poland. Overall, household incomes are increasing and there is a growth in spending, particularly on housing, culture, sports and transport.

Welfare There is an extensive list of services and benefits for Polish families. Developments in the 1970s included extended maternity leave, longer unpaid leave, a new system of family allowances, an alimony fund that covers both divorce cases and fatherless families, and credits for young couples starting out. This is in addition to a broad range of family benefits aimed at equalising the living conditions of families.

Copies of these Vienna Centre research reports are available for consultation in the Family Information Centre. For those wishing to write directly to the Vienna Centre, the address is as follows: Grunangergasse 2, PO Box 974, A-1011 Vienna, Austria.

Who's Who at the Institute

by Cath McConville,
Administrative Officer

Our best wishes go with two staff members who have recently left the Institute and we are pleased to welcome two new members.

Kerry Lovering, IFS Senior Research Fellow, has joined the Public Service Board in the Equal Employment Opportunity Bureau, Canberra.

Pat Knight, the Institute's first Distribution Officer, has left to take up a position as Reference Librarian at the Melbourne College of Advanced Education.

Catherine O'Connor replaced Pat Knight as the Distribution Officer, a position which involves implementing the new charging system for Institute publications, control of the mailing list and distribution of Institute material.

Sharon Craig commenced with the Institute in July as a Typist/Word Processor Operator. Sharon comes to us with valuable experience in clerical procedures and word processing operating.

Sharon Craig

Visiting Fellow from New South Wales
The Institute was pleased to welcome Dr Ailsa Burns as a Visiting Fellow for two months from 19 August to 19 October 1984. Ailsa is a Senior Lecturer in Psychology in the School of Behavioural Sciences, Macquarie University, with research interests in the areas of family, divorce and life span development.

Among her many other books and articles, Ailsa is co-author (with Professor Jacqueline Goodnow) of *Children and families in Australia*, a book used extensively in child development courses throughout the country. During her visit Ailsa was able to make use of the Institute's library information resources and typing facilities in her work of revising and updating this book which is to be reissued by Allen and Unwin next year, and also in her work of assisting Dr Norma Grieve, University of Melbourne, organise their forthcoming book on feminist issues.

While she was here, Ailsa was also busy writing a chapter for a new book on human geography to be edited by Jim Forrest and Ian Burnley. This contribution is based on a section of the data from the 'Sydney Area Family Study' — a major study looking at family patterns and child well-being in relationship to where people live, which she and her colleague from Macquarie University, Ross Homel,

Ailsa Burns

Ed Herold

conducted in 1980. Institute research staff were particularly interested to hear Ailsa present some of the findings from this study at a staff seminar on 18 October.

Visiting Fellow from Canada

Dr Ed Herold, Associate Professor in the Department of Family Studies at the University of Guelph, Canada spent four months at the Institute from August 1984 working with IFS Research Fellow, Ilene Wolcott, in the area of human relations education. Ed has recently published a book on *Sexual behaviour of Canadian young people* published by Fitzhenry and Whiteside, Canada.

After leaving the Institute, Ed went to Macquarie University to undertake comparative research on sexual and contraceptive behaviour of young people in Australia and Canada.

Orjan Hultaker, Professor of Sociology at Uppsala University, Sweden, was working at the Institute during September finalising matters following the XXth International ISA/CFR Conference on 'Social Change and Family Policies' in his capacity as Secretary of ISA/CFR.

Book Reviews

For richer, for poorer: money, marriage and property rights, by Jocelynne A. Scutt and Di Graham, Penguin Books Australia, Ringwood, 1984.

In Australia the act of marriage creates no special property rights as between husband and wife. While the marriage continues the spouses are treated as though strangers to each other for the purpose of property transactions; should it end, rights are adjusted according to a broad discretionary system which incorporates a number of statutory guidelines.

Historically, the Anglo-Australian approach stems from the passage of the *Married Women's Property Acts* of a century ago, which permitted each spouse to acquire and control his or her own separate property. Because men's opportunities to earn (and therefore to acquire property) far outstripped their wives' opportunities, many women had no legal title to *any* property and could therefore be destitute should the marriage end in divorce. The law responded to this by making use of a remarkable series of equitable devices based on presumed intention and manifest unfairness. The *Family Law Act's* specific reference to both financial and non-financial, direct and indirect contributions, was an attempt to avoid the artificiality of those equitable devices, and to pay more than lip service to the role of women in marriage.

It is the discretionary system which Scutt and Graham object to in their book *For richer, for poorer*. Their major argument is that discretion as exercised or interpreted by male lawyers (whether they be practitioners, registrars or judges) trivialises the non-financial contributions made to marriage by women, and thus is inequitable. To support this argument the authors provide some vivid examples of reported court decisions where women have received only a small percentage of assets acquired during the marriage, and they supplement these with written statements by women who report receiving a bad deal in the Family Court system.

The debate about how the law can be most equitable in the distribution of matrimonial property after divorce has been raging for several years and has caused deep divisions amongst feminists. Scutt and Graham strongly recommend the introduction of a system of equal rights to marital assets (and, presumably, equal obligations as regards marital liabilities) by way of contract. The standard contract in their regime would provide that all assets held

on marriage and built up during marriage would be owned throughout on an equal 50:50 basis. This would enable an automatic equal split should the marriage break down. Both husband and wife would be co-signatories on contracts affecting major transactions, and explanations would be available from a Family Court Officer whose independence would ensure that both had equal access to information about rights and obligations. There would also be provision for special contracts to be entered into. These might exclude certain assets but would not permit the exclusion of property acquired in anticipation of or during marriage.

The authors' suggestions have immediate appeal. They involve the elimination of the unpredictability and uncertainty which is a characteristic of a discretionary system. This in turn should reduce unnecessary bitterness, litigation and cost. In addition, they provide the weaker economic partner (who is almost invariably the wife) with information about assets acquired during the marriage. And, most importantly, they guarantee each partner, in what is theoretically a partnership of equals, equal material shares on dissolution.

But is the solution satisfactory? To assess the appropriateness of a radical change in matrimonial property law, which Scutt and Graham's proposals would involve, it is surely necessary to examine the ramifications of legal changes on marriage, and to examine the operation of the law in those jurisdictions where community of property is the system in use.

Currently, a wide variety of ideas about the purpose and functions of marriage are held simultaneously by different groups in society, and it is impossible to say whether one or another predominates. We cannot speak about *the* modern marriage, just as we cannot speak about *the* modern family. In addition, the law is required to respond to a wide variety of marriages which differ in demographic and economic respects from each other. We need only think of the terminating marriage of five years' duration involving a young childless couple, the long marriage where the wife has never worked and is now unemployable, and the remarriage of two previously divorced people with assets from their previous marriages, to appreciate the broad spectrum of marriage types, contributions and needs which must be balanced.

One definite trend noticeable in family law over the past two decades is the reduction of the legal unity of husband and wife within marriage, which reinforces the 'partnership of individuals' notion of marriage. Thus we have seen the *Family Law Act* abolish the married woman's dependent domicile and permit the parties to a marriage to sue each other in contract and tort. In addition, the high rate of workforce participation of married women has decreased their financial reliance on their husbands. These factors have caused Glendon (1981) to refer to what she describes as the 'eternal tension' (in law, in social attitudes, and in every marriage) between the interdependence that is characterised by marriage and the autonomous existence of individuals who are also marriage partners.

The system of community of property advocated by Scutt and Graham emphasises the legal unity of husband and wife in its provisions requiring full disclosure of all assets acquired in marriage and its prohibition of sole ownership of any of those assets.

For richer, for poorer, written by two committed feminists, reinforces the unity principle at the expense of the autonomy principle in a desire to protect women from what is seen as a sexist and discriminatory system of property distribution.

Whether the authors would also argue that this legal unity should extend, as a question of policy, to the treatment of the couple as a unit for the purpose of taxation is unfortunately not discussed. And it is assumed that they would not push it to the point where rape in marriage was a legal impossibility by reason of the unity of the flesh.

The full community property regime is but one of a variety of systems in operation in a variety of countries. An alternative regime, more commonly found in Western Europe and also operating in New Zealand, is the deferred community system where assets may be owned and acquired separately during marriage but a presumption of joint ownership applies should the marriage end in divorce. Even this system is more legalistic and complex than it first appears, with contracting out being permitted, short marriages frequently being exempted and (at least in New Zealand) the presumption being rebuttable where there are extraordinary circumstances 'that render repugnant to justice the equal sharing between spouses'*. In addition, deferred community systems usually include detailed legislation about the types of property included for or excluded from consideration. Full community schemes are equally detailed in their provisions regarding management of assets during marriage and their prohibitions on disposal without the authority of the other party.

*Section 14 *Matrimonial Property Act* (New Zealand)

What would be the effect of a full community system on the women for whom protection is sought? Are women more equitably treated under such a system than they are under a discretionary system?

Lenore Weitzman's examination of the Californian community property regime has revealed some disturbing implications for women with custody of dependent children. Her survey revealed that very few couples had tangible assets of value. The median net value of their assets was less than one year's median family income, which means that their annual earning capacity was more valuable at divorce than their property. Little information is currently available in Australia to suggest that the position here is very different.

There are many ramifications of low levels of assets, not the least being the need to sell the matrimonial home (which is often the only asset) to make the necessary division. Weitzman found a higher number of such forced sales after the introduction of the community property system in California, and in two-thirds of such cases there were dependent children.

The fact that there is little matrimonial property to divide means that each spouse is receiving a half slice of a small cake but usually the husband has a regular income, career prospects and (unless he chooses to repartner and reparent) few responsibilities to others. In contrast, the wife (unless she repartners) usually has sole ongoing responsibilities for the day-to-day care of her children, and because of her previous and current child care responsibilities is unlikely to be in well paid or even regular work. Of course, this paucity of assets also reduces the effect of *any* legal provisions relating to matrimonial property — 60 or 70 per cent of very little is of no more practical use than 50 per cent.

The different post-divorce economic circumstances of men and women have caused Wisconsin lawyer Martha Fineman to differentiate between what she calls rule equality (equal division) and result equality.

Using the affirmative action analogy, Fineman argues that the socio-economic factors that usually disadvantage women in the job market justify the sexes being treated differently when property is distributed. As Fineman puts it, 'unequal treatment is essential in assuring equitable economic results'. Her suggestions are predicated on the assumption that women will continue to be custodial parents which, despite more flexible attitudes towards parenting, continues to be the case in nearly 90 per cent of terminating marriages involving children. An additional proposal put forward by Fineman is that custodial parents should be favoured when assets are divided. As this could apply to either sex the differences in treatment would depend on post-divorce roles and would compensate for the inherent inequality of those roles. This is similar to the Swedish law where property distribution is largely controlled by the custody decision, as the law explicitly provides that the use of the matrimonial home is awarded to the spouse who needs it most.

Scutt and Graham attempt to separate out the entitlements due to men and women as a question of principle from entitlements adjusted because of future needs. Once again we must return to the diversity of marriage styles and the varying economic circumstances of marriage partners. Current family law in Australia is predicated, rightly or wrongly, on the concept of the clean break. Where possible, financial arrangements are made so as to eliminate continuing financial ties between adults. For this reason women may, and frequently do, receive a larger proportion of the property than their husbands in the form of lump sum maintenance. This serves a variety of purposes. It may compensate the wife (however poorly) for her role as sole child carer in the future, or it may pay her the proportion of her husband's (not yet accrued) superannuation entitlement which relates to their period of cohabitation.

An equal distribution of assets would eliminate the prospective element in property settlements while deeming the retrospective elements to be quantitatively equal.

The proposals contained in *For richer, for poorer* rest on several assumptions which in themselves are misleading. The first, which has already been referred to, is that divorcing couples typically have valuable matrimonial property to divide. The second relates to the data used to support the argument that the discretionary system is financially disastrous to women. As mentioned, Scutt and Graham make much use of reported cases and written submissions. These are persuasive and they illustrate the lack of uniformity in the system as it currently operates. However, very few property cases are determined by judges. In 1982, when there were just over 39 000 divorces granted, only 1875 contested property hearings were judicially decided. The number of reported property cases would, of course, be only a small fraction of these and they would be skewed towards those disputes where there were considerable assets.

The authors' dismissal of the Matrimonial Property Inquiry currently being conducted by the Australian Law Reform Commission, on the basis that it is unnecessary as we already know what is going on, is therefore quite inaccurate. In the vast majority of cases the practical day-to-day needs and circumstances of family members probably determine the distribution of such property as there is. The role of the law is therefore of peripheral importance. The Institute's Economic Consequences of Marriage Breakdown Study, which is being conducted to assist the Law Reform Commission's Matrimonial Property Reference, is designed to collect data on (among other things) property owned and its distribution. Sweeping legislative amendments should not be undertaken until such data are analysed and the Inquiry has examined the full impact of possible changes. This is not to deny the unease expressed by many women *and* men who have objected to the apparent vagaries of the current provisions; these vagaries were also a concern of the Joint Select Committee which examined the *Family Law Act*. However, it must be recognised that the distressing emotional experiences that surround marriage breakdown haunt any form of family law reform, and that there are strong indications that a full community system may replace one form of criticism with another.

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Reviewed by Margaret Harrison
IFS Fellow

The long journey: Vietnamese migration and settlement in Australia, by Nancy Viviani, Melbourne University Press, Melbourne, 1984. $26.60

The 1981 Census revealed that 0.3 per cent of Australia's population were born in Vietnam: 1.3 per cent of the overseas-born population in this country. Some had been students who acquired permanent status, others migrated in the normal way, but the overwhelming majority entered the country as refugees. Between 1975 and 1982, 57 770 refugees had arrived in Australia from Vietnam, mostly as a consequence of resettlement agreements under the United Nations High Commissioner for Refugees (UNHCR), although some 2000 had made their own way by boat to landfall in Australia. Nancy Viviani's book, *The long journey: Vietnamese migration and settlement in Australia*, examines the reasons for this exodus from Vietnam, the not-always-delicate balancing act performed by the Australian government in accepting those refugees, and the continuing experience of their settlement in this country.

The first section of the book contains an admirably objective and clear account of the historical context which was to give rise to the flight of refugees starting with the collapse of the Thieu government in 1975. Four groups are identified as being particularly vulnerable to the impact of a communist takeover — northerners who had fled the rigours of communist rule several decades earlier, the southern elite who had been closely identified with the American-backed governments, the Catholics who had achieved preference in administration under the French, and the ethnic Chinese who dominated the decaying capitalist structure.

The first exodus, from 1975 to mid-1978, consisted mainly of ethnic Vietnamese closely associated with the old regime — 135 000 left Vietnam in the month immediately following the fall of Saigon, but this quickly reduced to a trickle (20 000 over the next three years). In March 1978 the government decided to close down all private retail businesses, a move which primarily affected the ethnic Chinese. Left with the choice of unemployment, direction to a New Economic Zone or flight, a significant number chose the last option — they included the big capitalists and many of those who were vitally dependent on them right down the line. Between mid-1978 and 1982 over three-quarters of a million refugees *arrived* in countries of first asylum — there is no accurate record of how many *left* Vietnam, for many died in transit. These refugees, together with a lesser number from Kampuchea and Laos, crowded into camps of varying degrees of squalor, to await resettlement. Clearly the asylum countries — Thailand, Malaysia, Indonesia and Hong Kong primarily — were in no position to absorb such large numbers within their own States or to afford to sustain them. It fell to the

UNHCR to press resettling countries (Australia, Canada, France, West Germany, UK and US) to take as many as possible from the camps, to restrain Vietnam by offering alternative solutions to exodus, and to attend to the protection and support of the refugees themselves.

Within this complex interplay of international diplomacy Australia's role was not insignificant, although that was only one of the balls this government had to keep in the air. Viviani traces the role of the Australian government as the resolver of an onrush of competing demands — the UNHCR seeking more places on the grounds of Australia's wealth, underpopulation and international responsibilities, the forces of moral compunction based on humanitarianism or Australia's complicity in the Vietnam War, the upholders of purity of race and sanctity of labour market and, occasionally stirred into activity, the great leviathan of Australian public opinion. Within the major parties a similar cross-section of opinion existed. Neither the Whitlam nor early Fraser governments moved away from a timid and essentially pragmatic stance: 'their responses were belated, niggardly and they stood well to the rear of public opinion'. It was only when Australian territory was physically violated by the arrival of the first boat in Darwin in April 1978 that the government was forced to formulate a coherent refugee policy.

This policy was formed by Michael Mackellar and his Department of Immigration and Ethnic Affairs 'building on groups supporting refugee entry and working with ethnic bodies, the ALP, the press and community leaders'. The policy was for the most part a success, boat arrivals were controlled, Australia's role in resettlement ensured good relations with ASEAN, its humanitarian role was demonstrated and an enlightened program for migration from Vietnam, based on family reunion, was effected. According to Viviani this was 'the first real test of the disestablishment of the White Australia Policy, and a test successfully passed. The second test would take longer and would involve the settlement of Indochinese in Australia'.

It is with this second test that the rest of the book is concerned. The operation of government policy and the role of governmental and voluntary bodies are related to the process of settlement and necessarily there is some discussion on the reaction of the Australian community to this broadening of the ethnic makeup of the Australian nation. Based primarily, but not exclusively, on a survey of 120 heads of household in Queensland, the author looks at the structure of the Vietnamese communities in Australia, the role of education and the learning of English as agents for resettlement, employment, health, welfare etc.

Clearly every new migrant group will be confronted with problems unencountered in its place of origin — frequently covering the whole gamut of human activity. The greater the cultural gap the greater the changes. A question raised by this book concerns the importance of the two elements which distinguish the Vietnamese immigrant group from the bulk of the migrant communities: refugee status and race. From time to time Australia has been host to refugees from repressive regimes in various parts of the world and insofar as this can be separated out the experience of the Vietnamese could not be significantly different from those of Chileans, Poles or Salvadoreans. Their decision to leave their country has the added poignancy that they are not able to return. Given the trauma of many of these refugees while in their native country and often the necessity to leave family behind, their extra burden is guilt and the residue of fear.

However, the element of race is undoubtedly the most distinctive feature of the Vietnamese (though they are not the only Asian group in Australia they are by far the largest and have received the most attention). Respondents to a survey carried out amongst Australian residents (whatever that means) of the Sydney suburb of Fairfield generally thought the proportion of Vietnamese in their area to be too high. When asked what would be acceptable one-third said they would accept a reduction to 10 per cent: *in fact* the proportion was 4 per cent. Being more identifiable the Vietnamese are an easy target for anyone who feels hardly done by in the employment market, in education, in housing, in welfare or whatever. In times of economic recession those spurned by the system will seek such a scapegoat. The Fairfield Survey revealed three responses which presumably reflect the range of opinion in the community and its volatility: (i) a frankly racist position held by some 20 per cent, (ii) a majority position of ambivalence moving towards (i) or (iii) depending on economic conditions; (iii) a position which favours migration for social, economic or humanitarian reasons.

Just as it is easy to exaggerate the numbers of the Vietnamese community so it is all too tempting to see them as a bloc. They do in fact fall into two very distinctive groups: ethnic Vietnamese and ethnic Chinese. Historically the ethnic Chinese were recent arrivals in Vietnam, their social structure is based almost exclusively on the family and the rules of filial piety, their traditional activity is commerce (a

non-land-based activity), their temperament patient and non-involved. By contrast the ethnic Vietnamese family structure is much looser and less tied to economic function, their traditional activity is farming and administration, and their temperament is typically more volatile and independent. As a consequence the ethnic Chinese very quickly set up support structures — both economic and social — and the self-contained nature of their community to a large extent enables them to withstand the buffetting from the white society around them. On the other hand, the ethnic Vietnamese tend to be much more loosely organised, have fewer and less effective support systems, attempt to assimilate into the Australian community more readily, take out Australian citizenship earlier. For the Chinese, being a minority is not a new experience, whereas the ethnic Vietnamese are used to being of the majority race and culture. The realisation of their diversity helps to break down the concept of the Vietnamese community as a monolithic, hermetic body; the acknowledgement of the further step that it is made up of individuals whose aspirations and needs are little different from the rest of society is the beginning of the undermining of the blanket generalisations which underpin and reinforce racism.

Amongst the potential resettling countries Japan stood adamant in refusing to accept any refugees (indeed they were keen to settle abroad even those few Vietnamese who had been picked up at sea and landed in Japan) though they were happy enough to pay for resettlement programs elsewhere. Their policy was based on the grounds that 'homogeneity of the Japanese population would be breached by a newcomer group and that the successful resettlement of refugees would be prejudiced by racial antagonism'. This stand would no doubt be warmly applauded by those following the Ruxton-Blainey line but, while not seeking to defend the Japanese attitude, it must be argued that the situation in Australia is fundamentally different. When Australia was opened up to migrants of non-Anglo-Saxon/Celtic origin, a homogeneity based on those cultures was irrevocably broken. The continual expansion of immigrant population sources has ensured a state of flux in the elusive quest for a national identity. The dismantling of the White Australia Policy was one step in that progression. It turned the question from being *will* X racial group be admitted, to can they be admitted *on terms of equality* with all other members of the Australian community. The process ahead will involve a reassessment of the meaning of what it is to be an Australian and the establishment of new cohesive elements to make a society rather than a loose collection of unrelated ethnic groups without any sense of common purpose.

The detailed examination of the settlement of the Vietnamese refugees provided by this book will encourage a greater understanding of the problems confronting the latest ethnic group to be invited, for whatever reasons, to our shores. In doing so it forces us to ask ourselves how we should relate to this community and also poses the great imponderable: who we are and what should we become? The debate provoked by this book (and already current in society) should be taken seriously; it should be based, not on prejudice and inchoate fear, but on those principles of justice, fairness and equality which must be at the base of any democracy if it is to flourish; and it should be encouraged.

It is books like *The long journey* which will encourage debate on these lines, and for that reason, if for no other, it should be widely read. It is a pity that the publisher did not have a wider market in view than the narrow arid corridors of academia which the report-like jacket proclaims: it is a timely, provocative and highly readable book which offers a sober perspective at a time when baseless assertion is too much the order of the day. For those whose interest is specifically in the area of Vietnamese family care and guidance, this book will provide a useful complement to the forthcoming *Ethnic family values in Australia*, which will be published towards the middle of 1985 by Prentice-Hall in association with the Institute of Family Studies.

Reviewed by Dugald McLellan
Editor working on the Institute's book, *Ethnic family values in Australia*, to be published in mid-1985 in association with Prentice-Hall

Brief therapy with single-parent families, by Anita Morawetz and Gillian Walker, Brunner/Mazel, New York, 1984. $44 approx.

The authors of *Brief therapy with single-parent families* state that their intention in writing this book is to 'contribute to the breaking down of stereotypes and to encourage readers to view single-parent families as varied and viable family units with as many internal differences of style, structure and values as their two-parent counterpart'. A major aim is to alter society's perception of single-parent families as problematic and aberrant.

The book evolved from a three-year clinical study of 30 single parent families seen for therapy at the Ackerman Institute for Family Therapy in New York City USA. Although the material in this book is directed towards mental health professionals, explanations of the basic theoretical concepts behind the principles of practice are presented in a style that is clear and comprehensible to an educated lay reader. It is not, however, written as a popular 'how to' manual of self-help for single-parent families.

Detailed case studies illustrate both the theoretical framework on which therapy is based and the use of specific therapeutic strategies in a variety of single-parent family constellations and situations. The particular circumstances surrounding the formation of a single-parent family, whether as a consequence of desertion, divorce, marriage, or death, are considered to play a significant role in the treatment. The absent parent, in whatever way he or she is represented in the history of the single-parent family, is judged to be of paramount importance.

Transitions common to single parenthood such as changes in custody, establishing new relationships and relinquishing the past are explored in the case histories. Typical dilemmas and problem patterns confronting single-parent families identified and described include situations where a child is seen as the embodiment of the absent parent, where a parent uses the child as a substitute for the marital partner, where a child is seen as an overwhelming burden or problems become exaggerated due to the struggle for survival, where cultural or social sanctions produce guilt that inhibits effective coping, where re-establishing a social life confounds and confuses adolescent-parent boundaries, and where the single parent becomes dependent on the family of origin.

To the authors' credit, both the positive and therapeutic as well as the negative and conflictual aspects of these difficulties and dilemmas are examined. Again, the bias of the authors towards taking a normalised view of single parenthood is apparent.

> . . . it is not an easy task to view unorthodox living arrangements and/or ways of relating as appropriate or functional for a particular family . . . nevertheless . . . if they [the therapists] are unable to recognise the adaptive and creative abilities of single-parent families, they join those who continue to discriminate and stigmatise single parents for being 'different and deviant' (p. 14).

Each phase of the therapeutic intervention is outlined from the initial contact through the first interview and establishment of a working contract to the termination and follow-up of treatment. Verbatim extracts of the interviews create for readers a sense of living through the families' progress in treatment and a sense of sharing all their human strengths and frailties.

Broader legal, social, economic and political issues that influence the well-being of single-parent families are raised in the final chapters. Although the examples given of inadequate government and community supports for single parents are taken from the American experience, the policies related to provision of adequate child care, housing, job training programs, employment opportunities and work place structures are totally relevant to the Australian situation. At the 1981 Census, 7.8 per cent of Australians lived in single-parent families; in 90 per cent of cases these families were headed by women. Over 52 000 children under the age of 18 were involved in parental divorce in 1983 alone. Single-parent families headed by women are among the poorest of Australian families. The numbers of divorced or separated women receiving the Supporting Parent or Widow's Pension rose from 27 000 in 1975 to 124 000 in 1983.

The authors stress that the children of single parents will suffer unless their parents are secure in knowing that, when they work, their children are well cared for; that there is an adequate income to meet material needs if work is not an option; and that there is a source of help if the burden of coping alone becomes overwhelming.

Recommendations are made as to how schools can contribute to the positive adjustment of single-parent families. Suggestions include the development of a 'Kidnap Alert Plan' (to prevent children from being taken away by parents who have no legal right to do so) to the more supportive provisions of after school and vacation programs, flexible teacher-parent contact times and a curriculum that fosters an understanding of all types of families in a non-stereotyped manner.

The authors discuss custody and access issues from the point of view of the responsibilities and rights of both parents and the plight of fathers who are denied access and custody is acknowledged. Joint custody, despite its complexities, is advocated wherever possible.

Brief therapy with single-parent families is a dedicated attempt to explore the complex issues associated with the myths and realities of single-parent families. Although its perspective is clinical, the ideas are grounded in a sensitive, astute, and reasoned commentary on the social and

political context of being a single-parent family in today's society. In style and form the presentation is an intelligent and elegant choreography of theory, techniques and case history realism that is never pedantic or obscure despite the clinical approach and setting.

One of the authors, Anita Morawetz, is an Australian who works as a family therapist at the Bouverie Clinic in Melbourne.

Reviewed by Ilene Wolcott
IFS Research Fellow

The family and government policy in New Zealand, by Peggy G. Koopman-Boyden and Claudia D. Scott, George Allen and Unwin, Sydney, 1984. $12.95

Koopman-Boyden and Scott have written a book which is interesting, useful and, at times, stimulating. As a social demographer with New Zealand research interests, elements of government policy impinging on families have frequently been of interest to me. I gained much from the authors' analyses of particular policy initiatives, their discussions of broad historical trends in approaches to social policy formulation in New Zealand, and their identification of major issues currently facing policy makers. Naturally, *The family and government policy in New Zealand* will be of particular interest to New Zealand readers, but it incorporates sufficient general discussion of family policy, especially as it relates to the care of dependent children, to also find a market in Australia.

The sharing of responsibility for the care of dependent children among the family, the community and the State is the authors' stated focus. 'Care' is seen as having two major dimensions — economic support and nurture. On the other hand, in their historical account of policy initiatives Koopman-Boyden and Scott do not limit themselves to initiatives which only have an impact on the welfare of children — policies directed at the aged, for instance, are not ignored.

Following an introductory chapter, Chapter 2 addresses the question 'What is family policy?' The lack of explicit recognition accorded the notion of 'family policy' by governments in New Zealand and elsewhere is noted, as is the lack of agreement on a definition of the concept. National approaches to family policy, alternative objectives and methods of support which policies may pursue, and the Kamerman and Kahn distinction between family policy as field, instrument and perspective are all reviewed. A case is made for the value of a family policy approach, although objections to such an approach, the difficulty of attaining neutrality in family policy, and the problem of overlap with other policy areas are recognised. Family policy is seen as being concerned with interrelations among family members and with reconciling the sometimes competing interests of individual members.

Chapters 3 and 4 respectively discuss family and community care and State care for dependent children. Chapter 3 introduces a general model of avenues through which State, community and the family share the task of providing economic support and nurture for children. Against the backdrop of a not especially well integrated review of literature pertaining to the impact of industrialisation on the family, the authors then stress the diversity of family structures in New Zealand. With this theme in mind they go on to examine family care, presenting New Zealand data from a variety of sources. This is probably the weakest section of the book, the presentation and interpretation of statistical material at times leaving much to be desired.

Chapter 3 continues by arguing that 'family breakdown' is brought about by 'discontinuity in the economic support and/or nurture of dependent children' (p. 43). The problems of inadequate economic support and of measuring the extent of family poverty are discussed in the New Zealand context, as are the sorts of mechanisms which may disrupt the nurturing relationship. Community care for New Zealand children is seen as historically having concentrated on nurture. The functions of prominent community groups providing preventive and crisis care are reviewed, with some emphasis being placed on recent adaptations to new ideas and demands for care services.

In examining State care for dependent children, Chapter 4 concentrates on describing 'the policies, laws and institutional arrangements which characterise the current role of the State [in New Zealand]' (p. 57). Thus it successively deals with income transfer mechanisms, tax rebates and incentives, social services, social work and counselling services, statutory boards and advisory committees, and laws and regulations. The last section differentiates between legislation bearing on the rights and responsibilities of adults to children, of spouses toward one another and of family members to property. It also reports on laws which prescribe the employment of young people and women in certain occupations.

Under the section heading 'Looking Backwards', Chapters 5 and 6 trace the history of the relationship between the family and government policy in New Zealand, respectively covering the periods 1840-1934 and 1935 to the present. Chapter 5 begins with a general examination of ideological and other forces influencing social policy. This discussion sits uneasily with what follows, for it is never treated as a framework within which to set the New Zealand experience. Pragmatism, not ideology, underlies the history of policies affecting families in New Zealand.

Historical coverage of policies affecting families in New Zealand first focuses on the period 1840-90, which is characterised as one during which families were expected to be independent and to shoulder responsibility for the care of dependents, to the point where the State legislated to that effect. Government reluctance to intrude in family matters placed women and children at the the mercy of husbands and parents respectively, although the concept of a patriarchal and privatised family began to to be threatened by the introduction of compulsory schooling, the *Married Women's Property Act* of 1884, and hesitant moves by the State to share with charitable institutions the burden of relief for victims of the 1880s Depression.

The period 1891-1934 is identified as one marked by 'the recognition that crises such as poverty were in large measure the product of circumstances beyond an individual's control' (p. 106). The labour and land reforms of the first Liberal government are detailed, as are the introductions of old age and widows' pensions in 1898 and 1911. Also discussed are the granting to women in 1898 of equal rights to sue for divorce, State interventions on behalf of orphaned, delinquent and neglected children, growing emphasis on rehabilitation in prisons, industrial schools and asylums, moves to encourage adoption and fostering of children in preference to institutionalisation, and various child health initiatives. Chapter 5 concludes by noting, first, that introduction of a family allowance in 1926 established the principle of providing State support for intact as well as 'broken' families, and second, the hesitancy of the government to create a beneficiary class of the unemployed during the Great Depression.

Chapter 6 portrays 1935-75 as a period during which there were major increases in the State's involvement in policies affecting families. It first examines the *Social Security Act* of 1938 which 'represented a marked shift in responsibility for several life-cycle crises from the family and/or the community to the state' (p. 123). It then deals with education, housing and health policies which evolved against the backdrop of the marriage and baby booms of the 1940s, 50s, and 60s. The 1946 establishment of a universal family benefit is discussed, as are policies related to the special circumstances of wartime. Attention is also paid to the 1950s adoption legislation, the 1969 *Status of Children Act*, changes in matrimonial, divorce and related law, the introduction of the Domestic Purposes Benefit for single parents, the passage of equal pay legislation, measures taken in the area of age benefits and superannuation, and to the 1974 introduction of no-fault accident compensation.

The theme that social policies increasingly have been viewed as needing to reflect economic constraints is emphasised in respect of the post-1975 period. Various expenditure cuts and needs-oriented tax reform measures are described, along with an emerging tension between the goals of greater economic efficiency and greater equity. There is mention of the over-generous National Superannuation scheme, the introduction of which runs counter to the economic restraint otherwise evident in social policy. Government responses to rising unemployment and to a growing gulf between one- and two-income families are discussed, as are their moves on the housing front. Also reviewed are the establishment of the Human Rights Commission, the passage of the *Contraception, Abortion and Sterilisation Act* in 1977, simultaneous moves to promote greater public control of education and greater reliance on private health care, the introduction of the principle of equal sharing in the 1976 *Matrimonial Property Act*, and the 1980 family law package which provided for no-fault divorce, set up special Family Courts and recognised the priority of the second family over the first in matters of maintenance.

In their final two chapters, Koopman-Boyden and Scott turn to contemporary issues in family policy and present their own views on how these might be resolved. In Chapter 7 they first raise the questions of whether the State's current role in the care of dependent children should be contracted or expanded, and whether policies should be geared to crisis situations alone or should also be supportive. They then suggest that three important issues relevant to these questions are those of equity, rights and dependency. Discussion of equity traverses the tension between it and economic efficiency as goals, the notion of social justice, selective as against universal benefits, benefit levels, and the government's prominent role in determining family income levels generally. The issue of

rights is seen principally in terms of the conflicts which inevitably arise between the rights of different family members, and that of dependency and the definition of the circumstances under which dependency occurs.

Chapter 8 provides a thought-provoking finale to the book. Numerous proposals for reform of family policies in New Zealand are advanced. At a general level it is argued that there should be an overall strategy for social and economic policy which has more clearly defined and consistently applied ideological underpinnings. A family policy set within this strategy should essentially be a policy for dependent persons. Other more specific proposals include the following: that policy utilise selective benefits targeting areas of need; that 'self-help' be encouraged by facilitating access to employment; that eligibility for national superannuation not be based on the single criterion of age; that the benefit structure be redesigned in accordance with principles of equity and providing work incentive for the potentially independent (specific proposals are made); that the Widow's Benefit be abolished in favour of an all-embracing Domestic Purposes Benefit; that the universal Family Benefit be replaced by more generous tax rebates for families on low or moderate incomes; and that the rights of fathers relative to those of mothers, of children relative to those of parents, and of social parents relative to those of birth parents be increased.

A general criticism is of the rudimentary way socio-demographic data are often introduced and the sometimes crude, even misleading, presentation and interpretation of socio-demographic trends. The authors profitably could have consulted someone with specialist expertise in this area.

The extent of increases of ex-nuptial fertility in New Zealand is greatly exaggerated. There is reference to 'an ever-increasing ex-nuptial birth rate' (p. 35), and later it is claimed that 'the ex-nuptial birth rate trebled between 1963 and 1973' (p. 125). In fact it rose from 33.6 to 42.4 births per 1000 unmarried women aged 15-44 in that time. It actually peaked at 44.8 per 1000 in 1972, and that figure had not again been attained by 1980. Again, at several points, a decline in adoption placements during the 1970s is attributed to unmarried mothers preferring to keep their children. The argument almost certainly has merit, but constitutes a very simplistic explanation of the trend. It ignores the more widespread resort to abortion after 1971, which can reasonably be expected to have prevented in particular ex-nuptial births which in earlier times would have supplied the adoption market. Abortion could well be a major reason for the decline in adoption placements.

One or two examples of poor integration of data are also in order. On page 34 'the number of ex-nuptial births' is advanced as an indicator of 'an increase in de facto relationships', whereafter numbers of 1980 and 1981 ex-nuptial births and the percentages they formed of all births are cited. Any trend must be evidenced by *movement* in an appropriate index over the period of that trend, and data for two consecutive years hardly meet that criterion here. Second, the mere number of ex-nuptial births is far too crude to be a reliable index of the prevalence of de facto relationships. Neither is the percentage of all births that are ex-nuptial a reliable measure, for it increased through the 1970s primarily as a function of declining *marital* fertility rates. On page 36 there is the statement 'parents are now younger', following which it is noted that the average age of mothers at birth of their first child declined from 25.6 to 22.9 years during 1950-72, then 'slowly increased' to 24.3 years in 1979. An increase of 1.4 years over a 7 year period is hardly 'slow' by comparison with 2.7 years decline over a 22-year period. This recent significant reversal of an earlier trend essentially is ignored.

Flaws of this nature are unfortunate, for they detract from a book which otherwise has much to commend it. In fairness they perhaps are more irksome to this reviewer than they would be to most readers. Setting them aside, *The family and government policy in New Zealand* offers a useful discussion of the concept of family policy, informative surveys of the current and historical roles of the State in helping care for dependent children in New Zealand, a pleasingly balanced and dispassionate presentation of contemporary issues in New Zealand family policy, and concrete proposals for change which undoubtedly will stimulate wide debate. The latter two items in particular should be of interest to those concerned with government policies affecting families in Australia.

Reference

Kamerman, Sheila B. and Kahn, Alfred J. (1978), *Family policy: government and families in fourteen countries*, Columbia University Press, New York.

Reviewed by Gordon Carmichael
IFS Research Fellow

Women's Archives

The first edition of the Women's Archives, *Directory of Research on Women in Australia* will be available in February 1985. The Directory will list research projects undertaken during 1984 by academics, honours and postgraduate students; unions, government departments, business and other organisations; and as private research. Creative works (films, wall-hangings, murals) with an historical or social theme will also be included.

As well as listing research undertaken, the Directory will include an index of articles published in journals in 1984, and a list of books published about or by Australian women in that year.

The Directory will be published annually and will continue to feature the three indexes mentioned. It will also include special indexes in future, such as a bibliography of bibliographies on Australian women, a list of women's organisations currently active in Australia and a list of current women's journals, magazines and newsletters. Anticipated cost of the 1985 Directory is $10.00 (including postage).

Anybody who has undertaken research on women during 1984 and has not yet completed a Directory form should contact: *The Women's Archives, History Department, Arts Faculty, Australian National University, GPO Box 4, Canberra 2601 ACT. Phone (062) 49 4355.*

The Conference/Workshop Circuit

25-26 January 1985
Family Therapy
New York

This conference, titled 'Family Therapy — Working With Couples', aims to provide the practising clinician with a vivid and useful exposition of current practices in couples' therapy through the use of lectures, videotapes, and workshops. It is sponsored by the Department of Psychiatry, Cambridge Hospital in collaboration with the Family Institute for Family Therapy.

Further information: Harvard Medical School, Department of Continuing Education, Boston, MA 02115. Phone (617) 732 1525 10.00 a.m. to 4.00 p.m. (Eastern time).

2-15 February 1985
Quantitative Social Science Methods
Melbourne

This Summer Program is sponsored by the Australian Consortium for Social and Political Research Incorporated (ACSPRI). There are three course streams: an introductory course in social science data analysis and methods spanning the entire period, and two shorter streams of one week's duration, back-to-back, covering specific and more advanced data analysis techniques.

Further information: Professor David Kemp, Department of Politics, Faculty of Economics and Politics, Monash University, Clayton, Victoria 3168.

1-3 March 1985
On the Threshold — Housing Women
Adelaide

Sponsored by the Women's Housing Action Group (SA), the First National Women's Housing Conference will look at women's housing issues including availability, design, planning, management and finance. The conference provides the opportunity for women all over Australia to make an active contribution to the development of housing policies.

Further information: Margie Hill, Women's Housing Action Group, GPO Box 1072, Adelaide 5001. Phone (08) 227 4822.

4-8 March 1985
Health and Human Relations
Melbourne

This five-day course sponsored by the Family Planning Association of Victoria is titled 'Education in Sexuality for Post Primary Teachers'. It will provide basic information on reproduction, puberty, conception, pregnancy, birth, contraception, health care, values, social pressures and legal issues.

Further information: Training and Education Unit, Family Planning Association of Victoria, 259 Church Street, Richmond, Vic. 3121. Phone (03) 429 1869.

24-27 April 1985
IFPE International Congress
Montreal

On the occasion of the International Youth Year, an International Congress with the general theme of 'Contested Parents, Rejected Youth: an Identity to Define', is sponsored by the International Federation for Parent Education (IFPE) and the Société de recherche en orientation humaine (SROH). The Congress will offer participants from various countries and disciplines the possibility of sharing their experiences and research dealing with the relationship between youth and adults. The focus will be on conflictual situations experienced by both generations and will aim at a better identification of their causes and consequences.

Further information: Société de recherche en orientation humaine, 2120 rue Sherbrooke Est, Bureau 212, Montreal, Quebec H2K 1C3. Phone (514) 523 5677.

27 April 1985
Self-Esteem Body Image
Melbourne

Sponsored by the Family Planning Association of Victoria, this one-day workshop will examine the importance of, and ways to create positive feelings of self-worth in Human Relations education.

Further information: Training and Education Unit, Family Planning Association of Victoria, 259 Church Street, Richmond, Vic. 3121. Phone (03) 429 1869.

13-16 May 1984
Education in Relationships and Human Sexuality
Melbourne

Sponsored by the Family Planning Association of Victoria, this is a workshop for teachers and care-givers working with people with intellectual disabilities. It aims to develop the concept that people with an intellectual disability are able to manage their own sexuality and make appropriate decisions in relation to health care when appropriately taught.

Further information: Training and Education Unit, Family Association of Victoria, 259 Church Street, Richmond, Vic. 3121. Phone (03) 429 1869.

14-17 May 1985
Changing Marriages and Families
Sydney

The Second National Conference sponsored by the Australian Association of Marriage and Family Counsellors, aims to focus on current aspects of changes in counselling at all levels, and in marriages and families.

Further information: Mrs Nora Huppert, PO Box 300, Cammeray, NSW 2062.

24-25 June 1985
Human Sexuality
Melbourne

Sponsored by the Family Planning Association of Victoria, this community workshop is designed to look at the development of sexuality throughout the lifespan, to explore attitudes towards sexuality and to consider feelings, issues and decisions which accompany sexual developments.

Further information: Training and Education Unit, Family Planning Association of Victoria, 259 Church Street, Richmond, Vic. 3121. Phone (03) 429 1869.

3 August 1985
Sex Roles and Sexuality
Melbourne

Sponsored by the Family Planning Association of Victoria, this one-day workshop will explore sexuality, relationships, sex-role socialisation and conditioning.

Further information: Training and Education Unit, Family Planning Association of Victoria, 259 Church Street, Richmond, Vic. 3121. Phone (03) 429 1869.

14-16 August 1985
National Drug Institute
Darwin

The Second National Drug Institute is sponsored by the Northern Territory Drug and Alcohol Bureau in association with the Australian Foundation on Alcoholism and Drug Dependence. Its theme is 'Alcohol and Drug Use in a Changing Society'.

Further information: National Drug Planning Committee, Drug and Alcohol Bureau, Northern Territory Department of Health, GPO Box 1701, Darwin, NT 5794. Phone (089) 80 2982.

11-15 November 1985
Domestic Violence
Canberra

Following a request from the Attorney-General, the Institute of Criminology is sponsoring a National Conference on Domestic Violence. Details of this conference will be announced in the next issue of the *Newsletter*.

The Institute of Family Studies, established under the provisions of the Family Law Act 1975, commenced operation in February 1980. The Institute functions as a statutory authority of the Australian Government, from which it derives its financial support. The founding Director is Dr Don Edgar. The Institute has a Board of Management of seven appointed members and a permanent staff of professional and support personnel. In addition, specialist assistants and consultants in appropriate fields are engaged to assist the Institute in its work when necessary.

Functions of the Institute

The functions of the Institute as defined by the Family Law Act 1975, are:

- to promote, by the conduct, encouragement and coordination of research and other appropriate means, the identification of, and development of understanding of, the factors affecting marital and family stability in Australia, with the object of promoting the protection of the family as the natural and fundamental group unit in society; and
- to advise and assist the Attorney-General in relation to the making of grants, out of moneys available under appropriations made by the Parliament, for purposes related to the functions of the Institute and the supervising of the employment of grants so made.

The Institute's activities centre around meeting the following needs:

- research on social and economic factors affecting the well-being of families of different types in Australian society;
- development of an objective understanding of what is happening to the family in Australia, including identification of the strengths, as well as problems, of Australian families;
- dissemination of information about families and family structures to all those whose work directly affects the lives of families;
- monitoring and reporting on the impact of government policies and administrative practices on families of various types in Australia; and
- evaluation of the effects of marriage counselling, premarital education and other services, including those areas of the law aimed at assisting families.

Thus the objectives of the Institute are essentially practical ones, concerned primarily with learning about real situations through research on Australian families.

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